

ALBANYLAW

MAGAZINE

The high stakes of faculty scholarship
pg. 26

ALSO INSIDE:
Grads in D.C.; Vilsack's take on running for president; excerpt from Lytton's on *Holding Bishops Accountable*; reflections from the State Bar president; mother and son in school together.

SPRING 2008



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FEATURES

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Playing Albany's Local Sport on a National Field

By Paul Grondahl

Five alumni describe their paths from Albany to Washington, where they play in the major leagues of U.S. politics. Their stories include presidential politics up close, partisan Congressional maneuvering, and high-rolling international negotiations.

26 Faculty Scholarship:
Moving the School from Good to Great

By David Singer

A law school's national reputation significantly relies on the reputation of the faculty. The faculty's ability to publish scholarly work drives the perception of the school at every level. In its recent efforts to elevate its national standings, Albany Law continues its pursuit for faculty greatness.

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Corrections

In an article in the Fall '07 issue titled "Prof. Bowmar Retires After Three Decades," we incorrectly stated how long Prof. Bowmar was a faculty member at Albany Law School. Prof. Bowmar taught at the school for 40 years.

In an article in the same issue, titled "Law in the Family: Today's Students Following Parent's Path," we mistakenly omitted from the list Kathleen "Casey" Copps '09, who has two parents who graduated from Albany Law School: Carl D. Copps '80 and Anne Reynolds Copps '81.

Thoughtful and Savvy, Vilsack '75 Answers Any and Every Question Asked

“How can someone be married to Britney Spears for 54 hours and have all the rights attached to it, like inheritance and life and death decisions... but a committed gay couple for 25 years has none of those rights?”



Vilsack speaking to students on campus. That night he received the Distinguished Alumni Award.

Like any good presidential candidate, two-term Iowa governor Tom Vilsack '75 can talk fluently about pretty much any domestic or international issue, often attached to personal stories that hit the core of the matter.

A room filled with students last October 2007 leveled pointed questions at the man who months before dropped out of the presidential race. But his chops were still sharp for questions on Iran, Sen. Hillary Clinton, Israel, ethanol, immigration, who owns Jerusalem, and other hot topics of the day.

After an hour of questions, Vilsack seemed not only undaunted, but to be just warming up. You got the feeling that the students had only scratched the Vilsack surface.

“But there’s no greater feeling,

and no greater pressure than being in a courtroom in front of a jury,” Vilsack said toward the middle of the session.

Asked about intellectual property, the '75 grad offered an amusing tale about his trip to China to promote a protected process for producing Iowan’s soy bean.

On gay marriage, Vilsack said he needed to “dodge” the question because his law firm, Dorsey & Whitney, was representing six gay couples. But in the end he couldn’t resist. “We need to look at ourselves...what is the value we’re trying to promote here? I think it’s the notion of commitment.... How can someone be married to Britney Spears for 54 hours and have all the rights attached to it, like inheritance and life and

death decisions in hospital situations, but a committed gay couple for 25 years has none of those rights? We ought to have a civil system to support the value commitment.”

Earlier that day it was announced that former vice president Al Gore had won the Nobel Peace Prize. Asked by a student whether Gore should run for president, Vilsack, who at the time was national co-chair for Sen. Clinton’s presidential campaign, offered an unrehearsed response that called for Gore to follow his “passion” as an environmental advocate. By the time the second television interviewer asked him the same question later that day, Vilsack’s message had swelled to a confident, perfectly crafted reply.

At the time of his visit, Vilsack was heading a national task force of 30 people to examine the science, economics and politics of global warming. Vilsack has long been outspoken on energy and security issues, as governor and presidential candidate, and has called for replacing the Department of Energy with a Department of Energy Security.

Vilsack was on campus to receive the Albany Law Distinguished Alumni Award, which he accepted that evening at the Barrister Ball. The annual event is held to honor the School’s largest donors. —DS

Government Law Center Celebrates 30 Years as a Leading Think-Tank

The Annual Saratoga Institute on Racing & Gaming Law this year attracted more-than-usual attention as the NYRA contract issue swirled around it, among other gambling controversies across the state and country. The monthly Warren M. Anderson Legislative Breakfast Seminar brings in top decision-makers from all areas of government to talk about issues pending before the New York State Legislature. The newly-launched public authority initiative already has provided thought leadership on public authority reform. Two GLC-supported blogs draw more than 3,000 visitors every week. And two-day symposia, like the upcoming event examining religion and land use, draw interest from scholars throughout the country and occasionally the world.

What started as a small Center 30 years ago with one full-time professor acting as Director and a part-time staff person now boasts 10 staff members, a government lawyer in residence, a Sandman Fellow, consultants, and active involvement of faculty and dozens of law students each year.

Led by Patricia Salkin, Associate Dean and Director of the Center '88, with a 50-member advisory board, projects are wide-ranging. For example, in a partnership with AARP, the Center recently researched issues on grandparent caregivers to promote and implement sound policies at all levels of government. Senior Citizens' Law Day last year drew more than 500 seniors and care givers to spend a day at Albany Law to learn about long-term care, choosing an elder law attorney, creating health care proxies and living wills, and more.

Partnerships with the city, county, state and federal level help drive the Center's engine, creating student opportunities that include government internships locally and in D.C., in-house research internships, workstudy programs and positions on the *Government & Policy Journal*, a publication produced by the N.Y. State Bar Association.

One of the leading school-based government think tanks, given its location in New York's capital, the Center expects continued growth.



The Government Law Center staff. Back row from left: Kelly Ashe, Administrative Assistant; Patricia E. Salkin, Esq., Associate Dean & Director; Sharmaine Moseley, Coordinator, Albany Citizens' Police Review Board; and Bennett Liebman, Esq., Executive Director. Front row from left: Robert C. Batson, Esq., Government Lawyer in Residence; Louise Owens, Executive Assistant; Rose Mary Bailly, Esq., Special Consultant; Amy Lavine, Esq., Staff Attorney; and Barbara A. Mabel, Administrative Director. Inset: Michele Ann Monforte Publications Editor, and Paul Moore, Project Director, Shared Municipal Services Incentives Program.



Debating Voting Technology for Tomorrow's Elections

A day-long symposium featuring election experts examined the current legislation driving election processes, the way these processes affect voters' rights, an historical context that led us to this moment in time, and what technology we may expect for the future. Speakers included Paul Herrnsen, Director, Center for American Politics and Citizenship, various election commissioners in N.Y. state, and N.Y. State Sen. Martin Connor. Pictured at left is Matthew Masterson, U.S. Election Assistance Commission, who provided an overview of federal election voting strategies.

Albany Law Bloggers Draw Thousands of Visitors Weekly

Faculty and staff have been actively maintaining several legal blogs covering a wide range of topics.

Law of the Land: Patricia E. Salkin, Associate Dean and Director of the Government Law Center, writes daily on current laws, policies and decisions that affect the use of land, highlighting new court decisions, state and federal laws and policies, and actions at the local government level that guide and/or impact land use and community development. The blog, <http://lawoftheland.albanylaw.edu>, generates more than 2,000 visits per week.



This blog receives around 2,000 visits a week.

Best Practices for Legal Education: Mary Lynch, Clinical Professor of Law and Co-Director of the Albany Law Clinic & Justice Center, serves as editor for <http://bestpractices-legal.albanylawblogs.org>, a source for information on current reforms, and an online place to exchange ideas on legal education.

Same-Sex Unions in the Conflict of Laws: Professor Stephen Clark's blog, www.samesexconflicts.com, focuses on the interjurisdictional recognition of same-sex marriages, civil unions and domestic partnerships.

Community Benefits Agreements: Government Law Center Staff Attorney Amy Lavine writes about development projects and strategies to link good jobs, affordable housing, social justice and livable neighborhoods on <http://communitybenefits.blogspot.com>.

Project Helping Municipalities Consolidate and Share Services

Municipalities might like to share the more mundane services among themselves but are often stymied by a myriad of local, state and federal rules that can deter their efforts. Sharing municipal water, for example, comes with great financial, engineering, health and safety issues.

The Government Law Center staff, led by project director Paul Moore and a team of students, have been working on several fronts under a contract with the Department of State to help municipalities undertake shared service projects. The most visible accomplishments are: a compilation of two dozen case studies of shared service initiatives available at the Department of State's web site (www.dos.state.ny.us); a series of "legal frameworks" for various local government functions done in collaboration with the Legislative Commission on State-Local Relations and available on the State's Assembly's web site (www.assembly.state.ny.us); and



Paul Moore

a series of regional workshops held last fall all across New York bringing technical assistance

to over 1,000 local officials.

The site—located at www.assembly.state.ny.us—includes areas such as animal control, consolidation of local governments, cooperative agreements between local governments, and solid waste management, to name a few.

The project is part of the state's technical assistance provided under the Shared Municipal Services Incentive (SMSI) Grant[s] Program, which also provides grants to local governments to promote sharing services.

Applicant Numbers Rise while Numbers Fall Nationally

More than 2,300 applied from 47 states for 250 seats in the Class of 2011. This includes applicants from Alaska, Hawaii, Puerto Rico, from the war zone in Iraq, and five other countries. More than 110 people applied from California. Minority applicants rose by 59%, and overall applications were up by 25%. Nationally, law school applications are down by 1%.

This year the Admissions Office was moved and renovated, creating a more prominent campus presence for prospective students. Designed to feel like a downtown law firm, the suite is also home to the school's new Diversity Office.

Pictured from left: Gail S. Bensen, Director of Admissions; Lisa Swartwood, Office Assistant; Ashley Fluster, Admissions Secretary; and Pershia Wilkins, Director of Diversity.



Clinic Students Win Insurance Appeal for Life-Prolonging Drug

By Nicole Soucy

Doctors said he would die by the end of 2007.

“My husband would not be alive today if it wasn’t for the Health Law Clinic,” said Faith Hazelton.

Faith’s husband, Edward J. Hazelton, has terminal, irreversible brain cancer. After they were initially denied coverage, they turned to the law school’s Health Law Clinic to help them persuade Empire Blue Cross and Blue Shield to pay for Edward’s chemotherapy—a treatment that cost \$42,000 a month.

Fight for Coverage

After several different treatments were unsuccessful, Hazelton’s doctor, Susan Weaver, requested approval of insurance coverage for the cutting-edge treatment Avastin/CPT 11—which was originally developed to treat colon cancer. Empire Blue Cross refused. Dr. Weaver tried several more times unsuccessfully. Knowing Hazelton had a limited window of opportunity, she referred the Hazeltons to the Health Law Clinic in May 2007.

Professor Joseph Connors, director of the Health Law Clinic, and students Donald J. Labriola ’08 and Daniel M. Lindenberg ’08 took on the case.

The Clinic’s initial informal attempts to resolve Hazelton’s coverage dispute were unsuccessful.

“The insurance company would not even consider reviewing coverage before Mr. Hazelton received treatment,” explained Professor Connors. “He had to pay out-of-pocket for the treatment.”

As a result of the insurance company’s decision, the Hazelton’s literally went door-to-door soliciting donations to come up with a down payment for the cancer treatments. The Hazelton’s community in Glens Falls, N.Y., even held fundraisers at the local high school to pay for his treatments.

“One of my treatments was delayed a week just so I could scrape together \$8,000,” he explained. The good news was the chemotherapy was working. Although his long-range prognosis remained terminal, the chemotherapy could help him live his remaining years pain-free.

On Sept. 6, 2007, the Clinic submitted the appeal for insurance coverage of the treatment Avastin/CPT 11. The letter included cited reports of “impressive results” of Avastin’s alternate use found by the Brain Tumor Center at Duke University Medical Center. It also explained how the chemotherapy had improved Hazelton’s quality of life and likely expanded his time with his family and friends. In an affirmation document accompanying the Law School appeal, Dr. Weaver said the “experimental” usage of cancer drugs—Avastin/CPT 11 in particular—“has become very common among neuro-oncologists across the country and is routinely approved by other insurance companies.”

Six days later, Empire Blue Cross approved the treatment, finding it “medically necessary,” and would provide coverage



Cancer patient Ed Hazelton surrounded by, from left, Donald J. Labriola ’08, Ed’s wife Faith Hazelton, Daniel M. Lindenberg ’08 and Professor Joseph Connors.

for Hazelton’s past and future treatments.

Medical-Legal Collaboration

With the Health Law Clinic’s recent successful case, Professor Connors says the medical-legal collaboration not only helps resolve legal disputes, but leads to improved health outcomes for clients. “Doctors and lawyers working together can achieve what neither can alone.”

The students who worked on this case—Donald J. Labriola ’08 and Daniel M. Lindenberg ’08—are planning on a career in health law.

Labriola even plans to launch his own poverty law agency in Albany.

“I want to focus my practice on representing HIV/AIDS patients facing discrimination and helping the elderly with insurance problems.”

Aftermath

Months after the Clinic won the Hazelton case, Avastin/CPT 11 was approved by the FDA to

treat breast cancer. The FDA still has not approved the treatment for brain cancer.

In order to reach out to other patients in similar insurance disputes, the Clinic posted many of the documents relating to the Hazelton case on the clinic’s Web site at www.albany-law.edu/clinic. Since then, Professor Connors has received a number of emails from individuals who are using the medical research conducted by Lindenberg and Labriola to support their own insurance appeals.

As for Hazelton, he is feeling much better. He’s doing so well that he and his wife went to Florida in February for vacation.

“My husband would not be alive today if it wasn’t for the Health Law Clinic.”

International Child Rights Expert Joins Faculty

Maria Grahn-Farley has been appointed an associate professor of law. She was previously a visiting assistant professor of law at the school last year.

Before joining Albany Law School, Grahn-Farley was a faculty adviser at Harvard University and a visiting scholar at Boston College. She is currently an S.J.D. candidate at Harvard Law School. She completed the LL.M. program (degree waived) at Harvard Law School in 2005 and holds an LL.M. from the Gothenburg University School of Economics and Commercial Law, Gothenburg, Sweden. Her focus is on International Law and Human Rights, specifically International Child Rights.

This past semester she raised



Prof. Grahn-Farley speaking on campus earlier this year.

awareness on campus about the legal issues surrounding child soldiers and trafficked children by helping to organize a symposium with the Amnesty International Chapter of Albany Law.



Law School Hosts National Balsa Retreat

The National Black Law Students Association's northeast division held a full-day academic retreat on the Albany Law campus last semester. A line-up of prominent speakers addressed issues around student debt, exam writing, Bar exam preparation, minority issues and career choices. The group watched the movie "They Had a Dream Too—Young Leaders of the Civil Rights Movement."

Some of the speakers included, from left, William Little '05, John Higgins '89 (standing), Rachel (Perez) Ryan '05, and Christina Roberts '01.

Examining the Legal Issues around Child Soldiers, Child Trafficking and Child Labor



Prof. Young speaking at a child-rights event.

Professor Donna Young spoke to a standing-room only crowd earlier this semester on the gender differences in children's labor at the Law School's symposium titled, "Lost Childhood: Child Soldiers, Trafficked Children, and Child Rights."

Young focused on the different work that boys and girls are forced to perform, calling these distinctions a vehicle for understanding the systemic causes of a global market in child labor. These gendered divisions of labor, Young said, help to reveal the cultural and financial motivators of child labor in different nations; understanding these gender patterns allows us to better approach issues like education, health care and property rights, for example.

The day-long event offered three sections led by panelists addressing the categories of: Child Soldiers; Victims of Trafficking; and Rights, Rehabilitation and Resettlement."

Coordinated by the school's Chapter of Amnesty International, under the leadership of Professor Maria Grahn-Farley and the chapter's president Allegra Edelman '08, with assistance from the chapter's vice president Andrea Shaw '08, sponsors included the Albany Law School Diversity Office and Amnesty International.

“A well regulated Militia, being necessary to the security of a free State....”

Gun Conference Stirs Passions of Both Sides, Hitting Issues beyond a Legal Solution

“We regulate almost everything that can harm people: jobs, drugs, cars, even stop signs,” said Professor Paul Finkelman, opening his two-day gun conference with a challenge for hearty discussion. “It seems the most dangerous things we have get Constitutional protection.... We’re all interested in a better and safe society, but how you get there depends on who you talk to.”

Finkelman’s statement was followed by two days of debate culminating with the former Detroit mayor Dennis W. Archer addressing the issue of enforcement by likening it to cigarettes. “You can’t put a cop on every corner, and if you did, the shooting goes on behind closed doors in the home.... Look at smoking today. It’s completely different today because people showed they cared. But with so much going on in our lives, you don’t react to gun control issues until it hits a loved one.”

Archer, who served two four-year terms as mayor and now is chairman of the Detroit-based law firm Dickinson Wright, delivered the Edwin Crawford Memorial Lecture as part of the 2nd Amendment conference titled “Fire Arms, the Militia and Safe Cities: Merging History, Constitutional Law and Public Policy.”

“Why can’t we have reasonable dialogue in this country?” Archer

asked. “No other country has this feeling.... If the public could emulate what the school did here: reasonable dialogue about the issue.”

Sanford Levinson called the second amendment “a drunken uncle at a family reunion: he is entitled to be there.” He praised Harvard Law’s Mark Tushnet, who also spoke at the program, for noting that the Constitution will not solve the problem in this country. The issue, said Levinson, was about “who controls the means of violence.” Levinson, the W. St. John Garwood and W. St. John Garwood Jr. Centennial Chair in Law for University of Texas at Austin School of Law, delivered the Edward C. Sobota ’79 Memorial Lecture as part of the conference.

Albany Law’s Finkelman, the President William McKinley Distinguished Professor of Law and Public Policy and Senior Fellow in the Government Law Center, directed the October conference that also included speakers like: Carl T. Bogus, Professor of Law, Roger Williams University Law School; Leslie F. Goldstein, Judge Hugh M. Morris Professor, University of Delaware; David Konig, Professor of History and Law at Washington University in St. Louis; Timothy D. Lytton, Professor of Law, Albany Law School; and Mark

Tushnet, William Nelson Cromwell Professor of Law, Harvard Law School.

Stephen Teret, Director of the Center for Law and the Public’s Health, Johns Hopkins Bloomberg School of Public Health, looked at gun violence as an epidemiology issue; Matt Bennett, Vice President for Public Affairs, Third Way, took a public policy approach, his remarks entitled “Misfire: How the Debate Over Gun Rights Ignores Reality.”

Richard Jay Feldman, a former legislative director for the NRA, presented “Ricochet: Confessions of a Gun Lobbyist” and released his new book of the same title at the event.

The conference was cosponsored by the Government Law Center, the *Albany Government Law Review*, and The Ohio State University. —DS

From top to bottom: Conference director Prof. Paul Finkelman; Dean Thomas Guernsey and Prof. Kathe Klare listened to the morning speakers; Sanford Levinson delivered the Sobota Lecture; and former Detroit mayor Dennis Archer spoke on guns in the city for the Crawford Lecture.



KATE STONEMAN DAY

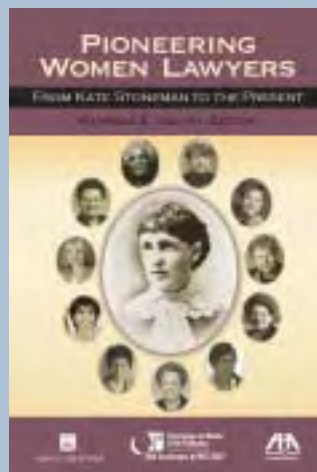


Keynote speaker Arlinda Locklear likened the prejudice faced by women to the struggles faced by American Indians.

Mae D'Agostino (below, left) and Melissa Mourges (below, right) both received the 2008 Kate Stoneman Award, an annual award that started 14 years ago celebrating women's achievements in law. Far right, Mimi Netter '72, who hosted the event.



ABA Book Commemorates School's First Alumna, Web Site Launched



Kate Stoneman and the stories of pioneering women in law are the subjects of the new *Pioneering Women Lawyers: From Kate Stoneman to the Present*. The book, edited by Associate Dean Patricia Salkin, documents Kate Stoneman's legislative triumph to become the first woman admitted to practice law in New York. It is told through 12 keynote speeches delivered on each annual Kate Stoneman Day. These include N.Y. State

Chief Judge Judith S. Kaye, the late Honorable Constance Baker Motley, Hon. Mary Donohue, and Jeanine Pirro. It also includes a foreword written by Dean Thomas Guernsey, background history by Kate Stoneman Chair in Law and Democracy Kathryn Katz, and an introduction by Professor Mary Lynch.

The book's release coincided with the launch of a Web site focused on Kate Stoneman, and



Locklear, Nation's Premiere Defender of Native American Rights, Delivers Keynote

"Every woman of my generation has their own story of gender inequality and the law," Arlinda Locklear told a mostly filled lecture hall as the keynote speaker for the Annual Kate Stoneman Day March 6.

"There are hundreds of variations of the Kate Stoneman story in Indian Country," said

Locklear, a Lumbee Tribe member whose career has focused on Native American rights, including cases argued and won before the U.S. Supreme Court.

"Each tribe has its own story of mistreatment," she continued, citing the example of a reservation's water supply diverted for another community, making the reservation inhospitable, a situation she legally fought, successfully flowing the water back onto the reservation.

Her most personal battle, she said—"the story that brought her into the law" 30 years ago—was the 100-plus tribal communities yet to be recognized by the federal government, despite inhabiting their lands for centuries.

Her own North Carolina tribe remains unrecognized, though the tribe has been there since 1790. Without that recognition, they have no protection of their rights to their land, culture and discrimination.

Locklear's most "difficult lesson: that these battles may not be won in your lifetime, and that it's "your place to simply move it forward."

The first Native American to appear before the U.S. Supreme Court, she has argued several

cases, winning all of them. In the Oneida Tribe of Indians of Wisconsin, she argued that tribes have a federal common law right to sue for possession of tribal land taken in violation of federal law. The Court adopted her argument as the basis for all other land claim litigation.

Award Winners

Mae A. D'Agostino and Melissa Mourges '80, lawyers with two very different stories, also received Kate Stoneman Awards.

Mourges, co-chief of the DNA Cold Case Unit in the New York County District Attorney's Office, described the feeling of calling a 59-year-old woman to tell her they've found the man who raped her 32 years ago, linking him to dozens of other rapes around the country. Mourges has brought numerous previously-unsolved rape and homicide cases to trial using the 17,000 "sexual assault kits" that were saved long before DNA technology was accessible.

D'Agostino, a partner with the Albany Law Firm D'Agostino, Krackeler, Baynes & Maguire, urged firms, and the larger legal community, to start doing far more for female lawyers, particularly those with young families. A past member of Albany Law's Board of Trustees and a coach for the Albany Law Trial Team for a decade, she teaches medical malpractice as an adjunct professor. —DS



to Honor and Continue Her Triumphs

the 14th Annual Kate Stoneman Day celebration on March 6.

The Web site, www.kate-stoneman.org, celebrates the rebellious spirit of Stoneman and those who have followed her tradition. Site highlights include Stoneman's biography and publications, featured events for women in law, and the Kate Stoneman Awards program.

Pioneering Women Lawyers: From Kate Stoneman to the Present can be purchased at the American

Bar Association's store www.abanet.org/abastore.



Albany Law in the News

New York Times

“As far as I know, he’s the first politician since the Civil War to recognize how deeply embedded slavery and race have been in our Constitution. That’s a profoundly important thing to say. But what’s important about the way he said it is he doesn’t use this as a springboard for anger or for frustration... . This is not a reparations speech. This is a speech about saying it’s time for the nation to do better, to form a more perfect union.” *Professor Paul Finkelman in the article titled “Obama chooses reconciliation over rancor,” March 19, 2008.*

Business Daily Africa

“It is high time ODM (Orange Democratic Movement) and PNU (Party of National Unity) sat down and negotiated a way out of the crisis. It is good that respected personalities have shown interest in helping mediate. That people like Desmond Tutu and President Kufuor are concerned about Kenya is a sign that the crisis is of international concern.” *Professor James Thuo Gathii in an article titled “World heavy-weights push fast-track mediation,” January 8, 2008.*

Forbes.com

“GMs are very sophisticated people. A lot of them may not think A-Rod is even worth what he already was getting.” *Professor Paul Finkelman in the article titled “Why A-Rod’s Not Worth It,” November 15, 2007.*

Newsday

“Closing off racing could potentially be a very risky political strategy.” *Bennett Liebman, coordinator of the Racing & Wagering Law Program, in an article titled “NYRA warns race tracks could be closed in dispute,” November 6, 2007.*

Students Cut their Teeth in Moot Court Competition



Winners Kelly Pressler and Sebastian Vaneria (in the center) surrounded by the judges of the final competition. From left: Professor Sheldon Halpern; Judge Robert S. Smith, N.Y. State Court of Appeals; Judge Victoria A. Graffeo '77, N.Y. State Court of Appeals; Judge David N. Hurd, U.S. District Court, Northern District of New York, and Judge Gary L. Sharpe, U.S. District Court, Northern District of New York.

For 10 weeks 33 two-person teams competed in a moot court setting arguing before a panel of three judges. In the end one team remained, winners Kelly Pressler '09 and Sebastian Vaneria '09.

The Domenick L. Gabrielli Appellate Advocacy Competition focused this year on an intellectual property issue centered on the use of trademarked terms sold for Internet advertising on search engine sites.

Other winners, all from the class of '09, include: Matthew Skinner and Kristen Wilson as finalists in the overall category, Gareth Hedges for best oral advocate, and Andria Bentley and Kristin Dascher for best brief.

Also in attendance at the competition was former Professor Ann Horowitz, who funds the prizes for winners of the best written appellate briefs.



TECH IN THE CLASSROOM

360 miles away, but the professor still calls on you

Students from the Semester in Government program in Washington, D.C., are taking a Government Ethics course with adjunct professor

Luke Bierman, Legal Services Division General Counsel, Office of the State Comptroller, New York. Every Thursday night the students go to a class room at George Washington University Law School to participate in the class via videoconferencing. Occasionally Bierman has taught the class in D.C.; for this the Albany students participate via videoconferencing.



IP Alumni Share Experiences, Career Advice

A panel of Albany Law alumni talked about their IP careers and offered advice to a few dozen students weighing similar paths for their own futures.

Panel members pictured above are, bottom row from left: Todd M. Friedman '98, partner with Kirkland & Ellis; Irene A. Lippa '06, at the time an associate with Schmeiser, Olsen & Watts; Marc D. Schechter '78, Senior Group IP Law Counsel, IBM Americas Sales & Distribution, IBM Canada, IBM Latin America. Top row from left: Heather M. Hage '06, Intellectual Property Manager for the Office of Technology Transfer at the Research Foundation of the State University of New York; Stephen B. Salai '74, Harter Secrest & Emery; Gail M. Norris '83, Director for the Office of Technology Transfer at the University of Rochester; Stephen V. Treglia '79, Chief of the Technology Crime Unit of the Nassau County (N.Y.) District Attorney's Office (NCDA).



Hardball on the Hard Court

Intramural league sports continue to fill the gym with the sound of sneakers squeaking on the hardwood floor. Albany Law basketball teams such as *The DA's* and *The Big Ticket* tip off on Wednesdays and Sundays. Student teams also use the gym to play floor hockey, soccer, dodgeball and rugby.



The first five alumni to correctly name anyone in either photo win an Albany Law School cap. The first two to correctly name all alumni in either photo, including graduation year, each win a Law School sweatshirt.

Submit your answers to Christina Sebastian, Director of Alumni Affairs, at 518-445-3361 or cseba@albanylaw.edu.



Answers from the last issue

Top photo: Back: Gregg Gates '78, Steve Bing '78, Jane Beltzer '78, Mary Ann Gadziala '78, Ilene Bergman '80. Front: Fred Burr '78, Paul DerOhannessian '78, Rick Meyer '78, Al Berman '78, John Campanie '78

Bottom photo: Thomas Finnerty '92, Julie Martin '92, John Loturco '92 and Andrea Carapella '92

Fall '07 Contest Winners: Donna Bogursky-LoTurco '92, Huntington, N.Y.; Patrick Cartwright '92, Albany, N.Y.; Paul Hermann '79, Saranac Lake, N.Y.; Deirdre Keating '92, Albany, N.Y.; Rachel Samuels '92, Latham, N.Y.; Jane Scott '79, Latham, N.Y.; Todd Weber '78, Saranac Lake, N.Y.

What's Frank Wallace Doing these Days?

By Dave Singer

“There are always problems in these senior communities, and my wife and I are two lawyers in the park, so these problems seem to fall on our shoulders.”

On Wednesday nights Frank Wallace sits behind a drumset driving a 15-piece swing band through Woody Herman and Glenn Miller dance tunes. “People from all over South Texas come to see us play,” Wallace said from his motor coach near McAllen, about a mile from Mexico’s Rio Grande border.

The 86-year-old retired professor who tried some 200 cases before joining the Albany Law faculty in 1970, spends half of the year with his wife Joyce ’73 in their motor coach as part of a senior community. The summer months they live in their other home in Altamont, N.Y.

“There are always problems in these senior communities, and my wife and I are two lawyers in the park, so these problems seem to fall on our shoulders,” said Wallace, with amusement.

“A kind woman we know was being sued and needed legal help. I came out of retirement to defend her. The warrior got back in the courtroom, and won.”

Wallace said he feels good. He can speak in detail about his professor days at the law school.

“I retired in ’86, but then they asked me to come back as emeritus, so I taught a full load during the fall semesters for the next four years,” he recalled. “Some retirement.”

When asked, he rattled off his course names: civil procedure, property, negotiation, and conflict of law. “Don’t forget trial tactics,” said his wife in the



Frank and Joyce Wallace at their home in South Texas.

background of the conversation.

Born and bred in Schenectady, he practiced law for 21 years after graduating from Albany Law in ’49. He spent most of his practicing career in Colorado, where he and others bought, among other things, a minor league hockey team associated with the Toronto Maple Leafs. The franchise won the championships for the Western League—“through no help from me,” Wallace quipped—before he sold his share.

“When I was leaving Denver for Albany, a reporter from the *Denver Post* called me to write a little article,” Wallace said. “She asked why I was leaving practice for academia, and I told her for a little ‘psychic income.’ Well, the headline of the story said, ‘Lawyer Leaves for Psychic Reasons.’”

Susan Halpern ’83, an Albany Law School trustee, has stayed close to Wallace over the years since her days as his student. “After practicing for more than two decades, he still serves as a guide and mentor for me,” she said of Wallace, whom she and many call “The Duke” due to his resemblance to John Wayne. “We trade a lot of emails and share a lot of thoughts. Every

time we communicate I learn something.”

Halpern recalled Wallace storming out of the classroom on her first day with him after the first three students he called on “passed.” Last year she told the 6-foot 4-inch Duke that he never scared her. “He told me he knew this and said, ‘I know who scares and who doesn’t.’”

“He was a big man in every way,” said Professor Daniel Moriarty, who worked with Wallace for many years. “His views were always firmly presented. In arguments he was vigorous, and in friendships he was grand.” Moriarty added one more time, “He was a big man.”

“Anyone who had him will always remember him pounding the desk, declaring ‘Never never never comingle your funds’ and ‘attach the wheels,’ said Professor Deborah Mann, once a student of Wallace. “It’s indelibly marked in our brains.”

For now, Wallace spends a lot of time on his computer and operating his Ham radio. “There are a lot of Hams here,” he said of his senior community, “and we love to get together.” That is, when he’s not thumping his drums to the jazz.

FAMILY LAW:

Mother and Son Become Classmates

By Nicole Soucy

Pam Perry '08 knew she was saving her textbooks for a reason. She was convinced that one day her older son, Phil '10, would go to law school. She was right. Not only did Phil decide to attend law school, he enrolled into the same school as his mother—making Albany Law School history.

Pam, 41, a third-year law student, and Phil, 23, a first-year student, are Albany Law School's first mother and son to attend the school at the same time, although over 1,600 students have been related in some way, from in-laws to spouses.

Pam, a single mother, says she always wanted to go to law school. She had been working in law offices as a paralegal since she was 18, after she married and had Phil.

"I wanted to make my dream a reality," explained Pam. "I had

learned many of my legal skills through my job experience, and now I wanted to apply them as a lawyer."

After her divorce, Pam enrolled in Empire State College to earn her undergraduate degree. She not only kept her paralegal job while attending school, she raised Phil and her other son 3 year-old Matthew.

"It was a real struggle to balance school, a full-time job and a family," said Pam. "But I never lost sight of my goal to go to law school."

In the spring of 2005, she applied to Albany Law. On a Friday in mid-August, she received word that she was accepted. Orientation was on Monday.

"I quit my job after the acceptance call and enrolled," said Pam.

"When she told me she was accepted, I was so proud of her,"



Pam and Phil Perry often have lunch together on campus.

exclaimed Phil. "She set out to accomplish something she always wanted to do."

After receiving his Bachelor's at Boston College, Phil took a year off from school. Inspired by his mom, Phil decided to follow in her footsteps and go to Albany Law School. He began classes last fall.

During the past year, the two have studied together, shared textbooks, and regularly ate lunch together—a lunch often made by mom. They don't commute together: Pam lives in Stillwater, N.Y., and Phil lives with his wife in Glens Falls.

As Phil prepares for his second year at Albany Law, Pam is busy gearing up for graduation and more importantly, the bar exam.

As for Pam's future plans, she's not entirely sure what she's going to do beyond graduation.

"I'm interested in family law,

estate planning, and real estate. But after spending several years carefully balancing school, work and raising a family, I'm ready to take a vacation."

Phil, however, has bigger plans for the two. "You never know, in a few years we might start our own law practice."

Inspired by his mom, Phil decided to follow in her footsteps and go to Albany Law School.

Law School in Paris and Albany:



Kepner in Paris.

“The French system deserves praise for providing higher education, including law school, to almost all French students for practically nothing, but the lack of funding results in massive holes in the university infrastructure.”

If there is one thing that every law student would agree on, it is that law school costs too much. After arriving in Paris, France, to complete a one-semester study-abroad program, I was shocked to discover that students in France, pay only minimal administrative fees totaling less than \$730 a year—including the mandatory state run *sécurité sociale* health care plan, to attend law school. However, I quickly realized that sometimes you really do pay for what you get.

The University of Paris X–Nanterre (UPX) was established in 1964 on the outskirts of Paris as an extension of the Sorbonne. Based on the American model, it was created as a campus (as opposed to the old French universities which were smaller and integrated into the city) and welcomes approximately 35,000 students a year. UPX

offers 181 different undergraduate, masters and doctorate degrees and is particularly renowned in France for its mathematics and law programs.

During the 2007 spring semester, I attended UPX through Albany’s exchange program and at the end of the semester I was awarded a “Diplôme d’Etudes Juridiques Européennes & Internationales” with honors. My coursework included classes on the political history and structure of the European Union, European and French law, international human rights, international commerce and legal translation. All 15 credit hours transferred back to Albany Law.

Despite similar course topics and class sizes, the differences between the U.S. and French legal education systems are immense. And while the course material itself was stimulating, the courses themselves often left much to be desired.

The French system deserves praise for providing higher education, including law school, to almost all French students for practically nothing, but the lack of funding results in massive holes in the university infrastructure.

As an exchange student, dealing with the administration was both a necessity and a nightmare. Prior to my departure, I assumed that the difficulties in obtaining answers to my questions about housing, health insurance and class schedules were due to my rusty French and the incompatible time zones. But after arriving, I realized my struggle

was only just beginning. I discovered the administration at UPX kept inconvenient and irregular hours. In addition, the class structure itself was a shock. At Albany Law, most lecture classes are structured around some version of the Socratic method. At UPX, the lecture classes are 100% lecture, with very infrequent student participation often in the form of a brief question and answer session. Students are expected to take copious, often verbatim, notes during class and then digest them later. In general, there are no syllabi; classes often have loose “plans” or outlines that some professors choose to distribute.

Furthermore, there are no mandatory books (on the bright side, no \$700 bookstore bills) nor are there mandatory reading assignments. The suggested reading list, if distributed at all by the professor, looks more like a law review article’s bibliography than anything a graduate student could tackle in a year, let alone a semester. The combined effect results in many students doing little more than showing up for class and struggling to transcribe every word that comes out of the professor’s mouth. In the absence of some form of office hours, students are typically not given access to professors’ e-mail addresses and are instead left to sit outside their offices, often for hours at a time, hoping that the professor might show up and have a moment to talk to them.

LE BON ET LE MAUVAIS

ADRIENNE KEPNER '08



Kepner, after her semester in France, back at Albany Law's library.

A Different Admissions System

French universities are required by law to admit anyone with a Baccalauréat. Because law school is open to all students without an additional merit-based application process, professors use exams to weed-out between 15% and 70% of a given class. It is not unusual for a professor to fail an entire class. While the system does have a built in “rattrapage,” or opportunity to retake exams prior to the beginning of the next academic year, the process leaves professors completely unaccountable for their teaching. There is no form of teacher evaluation by the students and after discussing the grading system at length with both French professors and students, I think it is unlikely that a professor would assume any responsibility for the failure of an entire class.

The majority of the time, it was not that the administrators, professors or university staff

were reluctant to help, more often I got the impression that they were left completely unable to help due to the red tape inherent in an academic system funded and managed by the national government.

Somewhat Flawed Facilities

Finally, the physical condition of the academic facilities at UPX provides a stark contrast to those at Albany Law School. There are only a handful of printers which students have access to at UPX and on all but one of those printers can students print anything from an e-mail account. While the majority of the academic buildings were equipped with wireless Internet access, the university residences were not. The libraries on campus were closed on Sunday and the dedicated law library was little more than a large room with 10 or 12 tables and a dozen bookshelves. It was not unusual to walk into a classroom at UPX and be

“I realized that the administrative support at Albany Law profoundly facilitates the academic studies, and the practically unlimited access to professors and course materials is something easily taken for granted.”

greeted by aged graffiti scrawled on the walls. Typically, the public restrooms lacked tissue, soap and paper towels. At the same time, UPX is home to an Olympic size swimming pool, a state of the art fitness facility and track stadium and while I was a student, there was a new residence hall under construction and extensive landscaping work taking place throughout the campus.

After studying in France, I have a new appreciation for the U.S. system. I realized that the administrative support at Albany Law profoundly facilitates the academic studies, and the practically unlimited access to professors and course materials is something easily taken for granted.

Despite all of the headaches and the fundamental differences in the education system in France, I found my time in Paris invaluable. As the months passed I began to feel as though I actually belonged in Paris. As my French improved I found I could keep up with both lectures and the casual conversations of my classmates. My local *boulangier* began to greet me by name and on a handful of occasions I gave directions to a lost Parisian. Academically, the opportunity to learn both the

French and European systems from French and European professors, some of whom have played important roles in the formation of the European Community, was an exciting experience.

If given the opportunity to repeat my semester abroad, I would not hesitate. In my mind, the practical functioning of the French legal system is similar to that of the U.S. system, but because the driving force of the French system is the *Code Civil*, the theory and methodology were completely new to me. In a world where foreign legal systems are increasingly juxtaposed and intertwined, perspective is invaluable and the semester I spent at UPX has allowed me a glimpse of another legal approach.

In no way am I advocating in favor of the U.S. system where the sheer cost is completely out of control and prohibitive to large quantities of academically qualified students, nor am I advocating against the French system, where access to higher education approaches universality. But there is a tangible advantage to the maintenance of a link between a student's tuition dollars and a school's success. The challenge now is to find the middle ground.

Under the Same Roofs at School and Home, LIVING TOGETHER IS

Joe Rossi '10 had enough problems. He was about to start three years of law school, and for that he had taken on an uncomfortable amount of debt. So when his roommate decided against law school the day before orientation, Rossi was on the hook for the entire rent.

Sebastian Vaneria '09 spent his first year of law school commuting from the Berkshires. Two weeks into this same commute the following year, Vaneria had enough. "But I wanted the right place and the right situation."

Today the two roommates thank their stars for stumbling

onto one another through various word-of-mouth channels.

"Both of us have never lived on our own, so it's a little different," said Vaneria, a graduate of Centre College, Kentucky, who's eager to start his summer clerkship in the general counsel's office of the Department of the Navy.

"We had no furniture," said Rossi, sweeping his hands to show the sparse living room, "so we've been buying pieces as we go." Rossi, a Siena grad whose fondness for the region will keep him around after law school, points to a chair and says they bought it from "craigslist." Vaneria points to the homey touch of

magnets covering the refrigerator. Something in the photo magnets prompts him to mention that his father, John Vaneria, a lawyer in New York City, graduated Albany Law in 1973.

Drop one floor down to Jeremy Cooney '10 and Dan Schlesinger's '10 apartment. They have furniture. Nice tables, new chairs, a well-kept couch, cooking spices and a filled bookshelf lined with framed photos that outline some of their own stories.

"I worked for a few years before law school," said Cooney, the class president who worked for U.S. Congresswoman Louise



"We have little time to hang around as a group," says Cooney, center, of his roommate Schlesinger, right, and two other students who rent upstairs. His girlfriend and law student Ugelow, left, will visit occasionally, particularly if Cooney's making dinner.

COPACETIC



Vaneria, left, and Rossi enjoy a few moments before getting back to the books.

Slaughter and then his alma mater Hobart College after graduating.

Schlesinger, a Pittsford, N.Y., native, and Cooney met through a winding thread that included a best friend, a colleague's mother's acquaintance, and one other twice-removed relation. From there they met and spent a day in Albany together looking at nearly 10 places before landing on their current apartment.

Despite the sharing of their homes, including the rent, heat and other related bills, the four of them rarely hang around as a group. "Everyone has different habits," said Cooney. "The other night we all ended up in this kitchen at about 11:45. Some of

us were running out, some were coming in. So we spent a few minutes together commiserating about life in law school."

Early in the year they had a party together for their law school class, where they all chipped in to buy a used grill. But that might be the extent of their fraternizing, which, some agreed, can often make the best kind of roommate.

Cooney's girl friend Lisa Ugelow '10 occasionally visits. She lives on the "College Suites" located next to the Law School campus, where she and three other women share a suite of four rooms, two bathrooms, a kitchen and a common living area. "It's

convenient," she says, "but I'm looking forward to living in an apartment or house off campus."

So what are the problems? "His music," Cooney quickly points out, laughing, adding that Schlesinger, a philosophy and music major at Oberlin College and an accomplished clarinetist, likes to practice in his free time.

Rossi laments that Schlesinger has free time. "I come home for dinner, maybe take a nap, and then go to the library until it closes. Then I look for a classroom to study for a few more hours." Vaneria nods to affirm Rossi's schedule, and adds, "Joe's the roommate everyone would want."

—DS

State Bar President Reflects on the Field, and Her Career, In Lecture to Students

Kathryn Grant Madigan '78 is the President of the New York State Bar Association. The remarks below are excerpts from her talk she gave to Albany Law School students as the 2008 Alumna in Residence. She is a partner at the Binghamton, N.Y., firm Levene Gouldin & Thompson.



I relate much of my success in a male dominated profession to my athletic background.

My ability to “talk the talk” and “walk the walk” has gained me entrée to many arenas denied other women of my generation in my profession.

My Phi Beta Kappa key let me into the Boardrooms but it was my background as a college basketball player and, even more so, my 10 years as a rugby player, that gave me instant credibility and respect.

I would hear those whispers, “She’s a rugby player.” Maybe it scared them a bit, that “elegant violence.”

My team at CU Boulder was one of the first in the country, the Albany Law MsDemeanors—a name anointed after I graduated—was also one of the first law school women’s teams. The Binghamton WRFC I started in 1978 is now the Binghamton University team. Even now I find myself driving down the Vestal Parkway past the University and see the

Day in the Life of the State Bar President

9:30 a.m.	Justice Sandra Day O’Connor arrives with the U.S. Marshall; we drive to the Sandra Day O’Connor Courthouse in downtown Phoenix.
9:45 a.m.	Quick tour of the Courthouse, pose for photo in front of the Sandra Day O’Connor statue.
10:00 a.m.	Videotaping of the NYSBA Gold Medal Award presentation in the ceremonial Court Room, with inspiring remarks by Justice O’Connor (SDO).
11:00 a.m.	Read just released U.S. Supreme Court Lopez Torres decision; review, edit and approve NYSBA Press Release; couple of phone interviews.



Madigan getting sworn in as NYSBA president by Hon. Thomas McAvoy '64 last June in Cooperstown, N.Y.

women's team practicing or in a game and I want to jump out of my Jeep and join the scrum. But I am 54, so I think not.

I have many fond memories of Albany Law's gym, which served as an essential part of our stress management program. Surely we're the only law school in the country with a gym in the middle of it. I played on the women's intercollegiate team my first year, but didn't find it very competitive, so I switched to men's intramurals, joining the team "Five Easy Pieces." Professors Watkins ("the Watt") and Welsh were frequent spectators.

For women of my generation, there were four predictors of professional success for women: 1) Strong relationship with your father or a male mentor; 2) Girl Scouts; 3) Same sex high school or college; and 4) Athletics.

I was fortunate to have all four.

Troubling trends today

Growth in minimum billable hours continues to increase, especially in large New York City law firms. I have always been a

huge advocate of balancing work and life. The structure of large law firms make that balance very hard.

An inhospitable climate in large law firms continues, especially for women lawyers of color, which the ABA documents in a report called the "Visible Invisibility."

We give lip service to running law firms like a real business. But what business would tolerate the rate of associate turnover in most big city firms? And what business model would ignore the needs of 50% of their professional workforce, ie. women?

"If lawyers brought the same imagination and creativity to this problem that they bring to the problems of their clients, this problem could be solved," suggested the former Pace Law Dean Stephen Friedman.

A law firm culture that honors professionalism and quality of life, as well as profits, requires a top-down commitment. Firms also need to commit to formal, accountable mentoring programs for associates and women partners,

as well as effective training or coaching in client development.

It takes different kinds of lawyers to create a healthy law firm culture—"minders, binders, grinders and finders." Each contribute to the whole. My firm is unusual in that we have a bonus pool for significant community and bar association service. It's not huge, but it sends a powerful message about what we value as a firm. All of us, from the top down, are community leaders. Twelve of us are former county bar presidents, five of us former NYSBA Section chairs, and the firm is now supporting me at my full-time volunteer job as NYSBA president.

All this doesn't happen by accident. It's about communicating and modeling that core firm value. We believe it makes us better lawyers and better human beings. We have the largest percentage of women partners and associates in our region, and have had progressive work/life policies, some of which go back over 25 years, such as part time,

flex time, work at home option, part time/non-equity partner track, a Women's Marketing Group, wellness programs etc. It is a superb model of what is possible.

Advice to Young Female Lawyers

Be courageous in making choices about your career and personal life. Don't be reluctant to change direction as your needs and interests, as well as that of your family, evolve over time. Make work/life balance a priority. It's not about the money. It's not about the money. Toot your own horn, as no one else will do it for you. Get out there and network. Don't be shy about self-marketing. And don't be swayed by those who suggest (as others did to me) that you can't be a part-time lawyer. Trust your gut. Seek mentors in all areas of your life. Become a mentor when the opportunity arises.

Finally, take care of yourself. And then, as is our time-honored tradition as lawyers, take care of those who cannot take care of themselves.

Noon

Brown bag lunch with SDO and federal judges; discussion re: Lopez Torres; SDO's time with the Queen of England during the Jamestown Anniversary program; book signing by SDO for my bar leader friends and NYSBA key staff.

1:00 p.m.

Tour of Phoenix Art Museum with SDO.

3:00 p.m.

Travel to Paradise Valley to home of SDO for tea and conversation about our respective athletic exploits.

6:00 p.m.

Drinks around the firepit at the Paradise Valley Country Club and then dinner.

9:30 p.m.

Return to hotel.

FIVE GRADS IN

Playing Albany's Local Sport on a National Field

By Paul Grondahl

It has been said that Albany possesses just one major league sport: politics.

But five Albany Law School alumni who work in the United States Congress would beg to differ with that homegrown view of politics in the state capital. Their career paths have carried them to Washington, D.C., and, they would argue, they're playing in the true major league of politics in America.

They took the road less traveled and it led them from legislative internships in the state capital while students at Albany Law and eventually—after a few detours to pursue other opportunities, typically—to interesting and challenging legal careers in the nation's capital. For them, the journey from Albany to Washington has allowed them to observe presidential politics up close, to fend off partisan Congressional maneuvering, to participate in high-stakes geopolitical negotiations, to travel to foreign lands and, above all, to lay claim to a front-row seat of history in the making.

Here are their stories.

D.C.



“Qaddafi was eccentric and passionate when it came to his discussion of the history of relations between the U.S. and Libya.”

Richard Mereu '90 had something of an out-of-body experience as he sat in a tent in Tripoli across from Libyan leader Colonel Muammar Qaddafi during a landmark meeting with a U.S. Congressional delegation. “It was intense and incredible. I’ll never forget it,” Mereu recalled of the 2004 trip to Tivoli. “Qaddafi was eccentric and passionate when it came to his discussion of the history of relations between the U.S. and Libya.”

Mereu is chief counsel to U.S. Rep. Elton Gallegly (R-Calif.) and a staff director on a subcommittee of the House Foreign Affairs Committee. Mereu was aboard the first U.S. military plane to land in the Libyan capital since the United States and Libya broke off diplomatic relations in 1980. Congress sent the delegation to Tripoli after the 9/11 attacks.

Mereu sat rapt in the tent as Qaddafi spoke. “He was willing to consider diplomatic relations with the United States because Libya was very poor and he

wanted his country to move forward economically and not remain shunned and isolated from the international community,” Mereu recalled.

That meeting was a precursor to Qaddafi renouncing his nuclear, biological and chemical weapons and dismantling his stockpile of weapons of mass destruction. “It was a thrilling historical moment and one of the greatest achievements I’ve been involved in during my time working on Capitol Hill,” said Mereu, who has spent 12 years on Gallegly’s staff and has handled legal matters related to the Congressman’s work on health care, immigration and foreign policy. In the past four years, Mereu’s work on the Foreign Affairs Committee has taken him to more than two-dozen countries in the past three years. He’s currently engaged with European countries working to defuse growing tensions in the Balkans and to resolve political differences in Northern Ireland.

Mereu has the highest possible security clearance and is privy to top-secret counterterrorism initiatives as part of his job, which requires facets of legal

expertise he never expected to use. “I was involved in implementing the 9/11 Commission’s recommendations and adding provisions to the Medicare Modernization Act of 2003. Both required a huge amount of research, coalition building and effort to get legislation passed in the House and Senate,” he said. “It’s exciting and satisfying to see the fruits of your labor when it becomes law.”

Mereu, who lives in Arlington, Va., with his wife and two children, credits an internship in the state Legislature he completed while at Albany Law on putting him on the path to Washington. “It was an opportunity I wouldn’t have gotten at any other law school,” said Mereu, who worked for Assemblyman Joe Pillitere, a Democrat from Niagara Falls.

Mereu aimed to work in the nation’s capital and Albany Law helped him land a summer job after his second year at the Federal Trade Commission in D.C. That led to a full-time position after law school with the FTC’s Bureau of Consumer Protection. His work involved forcing companies of high-profile products making unsubstantiated claims to modify their advertis-

ing and marketing materials.

“The FTC was interesting work and I improved my research and legal skills, but I always wanted to make a contribution in terms of public policy,” Mereu said. In 2003, he was promoted to staff director of the Subcommittee on Europe of the Foreign Affairs Committee. “I’ve been in the majority and the minority and you have to be creative and build alliances across party lines if you want to be effective on Capitol Hill,” he added.

Mereu has been involved in critical foreign relations and domestic policy negotiations over the years, but one of his most memorable moments was sitting in the House Chamber of the U.S. Capitol for President George W. Bush’s State of the Union address in 2002. “This was a few months after 9/11 and he talked about the Axis of Evil and I remember thinking as I was listening that this was a historic speech that would have important foreign policy implications,” he said.

Mereu has been summoned to the West Wing of the White House for briefings and said it’s nothing like the TV show that starred Martin Sheen. “It’s actually very sedate and there are very few offices in the West Wing,” he said. “Working in Congress has been an incredibly enriching, satisfying career and I’m doing things I never imagined I’d do.”



Amy Gaynor '99 drafts bills, resolutions and amendments as an assistant counsel with the Senate's Office of the Legal Counsel. Only, she works from the comfort of her home in Delmar, N.Y. Gaynor, who has a 2-year-old daughter, has telecommuted to her job in Washington, D.C., for the past four years after joining the non-partisan Senate support office in 2001. "Telecommuting is sort of a new trend in the Senate. After 9/11, it became important that the institution have the capability to work remotely outside D.C.," she said. "Telecommuting has worked out well for my daughter, Norah, and our family. I do like it, but I miss being in Washington, D.C."

Gaynor is married to Benjamin Farber '99. The classmates became law school sweethearts who married while both worked in Washington, D.C. In 2004, the couple returned to Albany, where she grew up and where her family still lives, after he became an associate attorney at Phillips Lytle in Albany, focusing on corporate and securities law.

Gaynor credited Professor Peter Preiser's Constitutional Law class with helping set her sights on a job in the nation's capital, along with her position as legal developments editor of the *Law Review*. "Law Review was a great experience because

"The difference between how we write bills today and 30 years ago is that we aim for precision and readability so that an average person can understand it."

it gave me a significant amount of responsibility, which prepared me to move into the working world," she said.

Gaynor knew she wanted to return to Washington, D.C., where she lived while attending Catholic University. She majored in history and philosophy and worked part-time at the National Archives. "I liked the vibe of Washington and was interested in national politics, but I never thought I'd work someday in Congress," she said.

She first made a stop in New York City for a job with the U.S. Department of Justice, where she worked as a trial attorney on immigration cases and deportation proceedings. After 18 months, she seized the opportunity with the U.S. Senate, where she is one of 30 attorneys who work at the request of individual senators and committees. She assists lawmakers in crafting their policy initiatives into legal language that can stand up to constitutional and political scrutiny.

Gaynor's areas of expertise are education and health. One of her most challenging assignments was working on the No Child Left Behind Act, which ran to more than 600 pages. On the other end of the spectrum, some of her work involves a one-sentence amendment to an existing law. "We work hard and it's nice to be recognized on the Senate floor by the senator who sponsored the bill and our

name also gets printed in the Congressional Record," she said.

Gaynor telecommutes by frequent phone calls to Senate staffers and a steady stream of e-mail to edit and refine bills through multiple drafts. She also travels to Capitol Hill several times each year and has met some of the senators she writes for, including Massachusetts Sen. Ted Kennedy, who files the most requests as chairman of the committee on health, education, labor and pensions.

"We try to make sure we address constitutional issues in our bills, but we also try to make them readable and to avoid legalese," she said. "The difference between how we write bills today and 30 years ago is that we aim for precision and readability so that an average person can understand it."

Gaynor enjoys the satisfaction of using her law degree on behalf of public service at the federal level. "I look back at the cumulative effect of my work and I know there are many critical education and health bills that became law that I helped write," she said. "We don't create the policy, but the senators couldn't make laws without us."



John Sassaman '92 didn't set out to become the in-house ethicist for the Senate, but that's his new position after spending the past seven years in a similar post in the House of Representatives. He began his job as senior counsel of the Senate Select Committee on Ethics in February. He won't be wearing a black-and-white striped shirt and carrying a whistle, although the position requires him to function as a referee of sorts when thorny ethics issues arise, typically involving gifts and travel provided to senators and whether outside business transactions are appropriate for an elected lawmaker.

"It's an exciting place to work and it's the sort of interesting, non-traditional legal career I wanted," said Sassaman, who lives in Bethesda, Md., with his wife Krista Harte Sassaman, who works in fundraising and P.R. for non-profit organizations, and their 5-year-old daughter Mirren.

The job requires Sassaman to be a quick study. "Members present us with complex

financial matters that we have to research thoroughly and then be able to convey quickly and in a way the member of Congress can understand without a lot of legal jargon," Sassaman said. "It requires strong analytical and communication skills."

Soon after he began work on Capitol Hill, Sassaman assisted in one of the highest profile cases in recent history to face the House Ethics Committee—which has the authority to investigate members—the expulsion of Congressman Jim Traficant, a flamboyant and maverick Ohio lawmaker. Traficant lost his House seat after being convicted in a 2002 federal corruption and racketeering trial on charges of taking bribes, filing false tax returns, racketeering, and forcing his aides to perform chores at his farm in Ohio and on his houseboat in Washington.

"It was a real interesting experience. Members aren't expelled very often," Sassaman said.

Sassaman set his sights on Washington, D.C., after working as a paralegal for a few years at a Georgetown law firm before going to Albany Law. He was inspired by a Constitutional Law class taught by Dean Martin Belsky and challenged by his responsibilities as editor-in-chief of the *Science and Technology Journal* at Albany Law. He had a clerkship in the N.Y. State Supreme Court during his second year and later

landed a job clerking in the District of Columbia Court of Appeals that turned into a full-time job as a staff attorney for the court. "Several Albany Law alumni were very encouraging and helped me network once I got to D.C.," Sassaman said. "There's a real excitement to working in Washington and being around high-profile political figures."

Sassaman later worked for the U.S. Court of Appeals' federal circuit and as special counsel for the D.C. Attorney General's Office before joining the House Ethics Committee in 2001. He got in on the ground floor, literally, with a street-level office in the West Terrace of the Capitol that overlooks the Mall. But the stately setting belies the hurly-burly of a job in which a member of Congress typically calls Sassaman into the office for a brief, intense face-to-face discussion on what does or does not constitute ethical conduct. Occasionally, things can get tricky when dispensing advice.

"I've had a Congressman blow his stack when I recommend a no when they expected a yes answer," he said. "I give oral advice in person and if they choose not to follow it, they run the risk of ethical and political problems down the road. These are good people with a difficult life traveling back and forth from Washington to their home district ever week, with a lot of pressure to raise campaign

money year after year. Yet with all these pressures, they're motivated to do the right thing."

For now, Sassaman prefers the path of working in a non-partisan office that dispenses advice in equal measure to Democrats and Republicans. "I like the role of advisor and being all things to all people," he said. "I never expected to stay in this job as long as I have, but every week we get another ethics issue we've never had to address before. It keeps things lively."

"I give oral advice in person and if they choose not to follow it, they run the risk of ethical and political problems down the road...."

“My first day in Washington was the day the Monica Lewinsky scandal broke.... It was a tough time to be a Congressional intern.”



Christopher Wilcox '06 set his sights on working in Washington, D.C., long before he entered Albany Law. In his sophomore year at St. Lawrence University, he spent his spring semester in a Capitol Hill internship under the auspices of American University. “My first day in Washington was the day the Monica Lewinsky scandal broke,” he recalled. “It was a tough time to be a Congressional intern.”

Still, the experience didn't deter him and Wilcox completed additional internships with U.S. Rep. Sherwood Boehlert

and Senator Daniel Patrick Moynihan, who offered him a paid position. As Moynihan's regional staff assistant, he frequently drove the senior senator from the airport in Albany to his home in Pindars Corners, Delaware County. “He was a deep vault of knowledge about politics and history and I learned a lot talking with him on those drives,” Wilcox said.

Wilcox also undertook a legislative internship in the N.Y. State Senate and worked on campaigns in California and Michigan—all before he started law school. At Albany Law, he was a senior editor of the *Law Review* and completed summer internships with the Saratoga County D.A.'s office in Albany and Saratoga counties and with the U.S. Attorney's Office of the Northern District. He also worked part-time during his second year with the N.Y. State Attorney General's Criminal Prosecution Division in Albany.

A year ago, Wilcox landed a job in the Washington office of freshman U.S. Rep. Michael Arcuri, who represents New York's 24th District. Now, as legislative Counsel to Rep. Arcuri, he oversees the Congressman's responsibilities on the Transportation Infrastructure Committee, which considers national transportation and economic development policy and requests for local highway, flood control and water project funding. Wilcox also tracks

environmental, judiciary, tax and Indian affairs legislation. “It was fortunate that I took a federal Indian law class at Albany Law with Professor Robert Batson. He's an expert in that area and a great resource who still helps me out with his expertise if I get stuck on an Indian land claim issue,” Wilcox said.

Wilcox has to develop expertise quickly in numerous areas as Congressman Arcuri's legislative Counsel. Work weeks of 80–100 hours are not unheard-of when important, complex legislation affecting Arcuri's district is up for a vote in the House. “We might have the economic stimulus package coming to the floor at the same time that we're reviewing several proposals for large water and highway projects and representatives from two Indian tribes are visiting to discuss land claims,” Wilcox said. “It can seem like a monumental task and frustrating at times, but it's exciting work when it all comes together and we get a good law passed.”



Working for the senior senator from Iowa, Stephen Schaefer has been involved in major legislation, including the implementation of eight international trade agreements, the extension of permanent normal trade relations to Ukraine and Vietnam, the imposition of economic sanctions with respect to Burma, and [more]...

Stephen Schaefer '93 did not graduate from Albany Law with a goal of working on Capitol Hill. Now, he finds himself assigned to one of the most heavily scrutinized committees in Congress. He is chief international trade counsel on the Republican staff of the Senate Committee on Finance, which, in addition to oversight of the nation's customs laws and international trade affairs, is charged with writing tax legislation and overseeing Social Security, Medicare and other entitlement programs. Schaefer joined the staff of Senator Chuck Grassley of Iowa as international trade counsel in 2003 and was promoted to chief a year ago.

"I've always put my best into each job I've had, and good things have flowed from that," said Schaefer, who was executive editor for production on the *Law Review* at Albany Law and has a master's degree in economics from New York University. "I feel so

privileged to have this opportunity to work for a senator I greatly admire in a job that employs my legal training every day."

Schaefer's background in economics, coupled with an internship at the U.S. Court of International Trade in New York while at Albany Law, launched him in the field. That led to a two-year judicial clerkship at the CIT after graduation. Schaefer later took a position as an associate attorney at White & Case in Washington, handling customs and international trade cases. He left for a complete change of pace and taught various classes in international law at several universities in Bulgaria for the Civic Education Project for two years. He returned to the States and took a job with the U.S. International Trade Commission. He used a year's sabbatical in that job to earn an MBA in France.

Working for the senior senator from Iowa, Schaefer has been

involved in major legislation, including the implementation of eight international trade agreements, the extension of permanent normal trade relations to Ukraine and Vietnam, the imposition of economic sanctions with respect to Burma, and legislation to conform domestic laws to U.S. obligations as a member of the World Trade Organization. He also served as the Senator's chief negotiator in the development of the SAFE Port Act of 2006, as well as legislation to implement the recommendations of the 9/11 Commission in 2007.

Schaefer serves as Senator Grassley's chief trade lawyer and provides technical advice and policy recommendations based on his understanding of issues from both a legal and economics perspective.

"The senator is very accessible when I need him, but he's also very busy," Schaefer said. "Trade is perhaps his favorite aspect of the Finance Committee's broad portfolio. He's a strong believer in both the economic and geopolitical benefits of expanded international trade. He has very clear policy objectives, and that makes it easy to serve him as a client. He also emphasizes bipartisanship, as does his counterpart on the committee, Senator Baucus. And that close working relationship extends to their staffs, which has made this an even more rewarding experience."





“The college grad from Clifton Park no longer comes here automatically. This is why we need to be seen as a national law school.”

—Dean Guernsey

FEACU SCHOLAR

Moving the School from Good to Great

Law schools are judged by the quality and reputation of its faculty. The faculty's ability to publish scholarly work drives the perception of the school at every level: their scholarship influences peers; peer surveys determine a bevy of national rankings; rankings influence the quality of students a school attracts.

Judges, lawyers, undergraduate pre-law advisors and lawmakers also form their perceptions based on information initially fed from the visibility of a school's faculty.

Law professors create their own value in the legal education market by their capacity to produce innovative and useful scholarship, and not, unfortunately, by their performance in the classroom.

"Preparing students to be good lawyers needs to be our highest priority," insists Thomas F. Guernsey, Albany Law's President and Dean. "That will always be our priority. To do that right in a competitive arena, we need to continuously improve the quality and reputation of the school. A great reputation attracts great professors, which attracts great law students."

To Guernsey, improving the school requires increasing the quality and quantity of faculty

publishing. This has been his consistent message for several years now. To drive home his point, the Dean likes to list a few flagship achievements over the past six years in the areas of student services, facilities, and the fiscal order of the school. Now, he says, we need to strengthen the faculty. This includes supporting current faculty to enable more scholarship, and attracting outside star faculty to join the school.

"Things are much different than they were 20 years ago," Guernsey explains. "Not only has the pool of prospective New York students shrunk significantly, but we're competing with schools across the country for even the local applicant. The college grad from Clifton Park no longer comes here automatically. This is why we need to be seen as a national law school."

Guernsey is quick to acknowl-

edge the traditional strength of the school—New York practice—calling it the institution's "historical base.... That remains strong and we will keep it strong." He called attention to seven full time professors devoted to New York law, a number probably twice that of any other law school in New York state. "To survive, to thrive and become great, we have to be that and more."

Pursuing Critical Mass

Faculty who actively engage in scholarship promote the school through published materials, speaking engagements, conferences, bar events, and the media. These professors gain the institution credibility outside the academic world, reaching law firms and leaders who shape the legal and public agenda.

Over the past three years, Albany Law School has pulled off somewhat of a coup, landing three high-profile professors with national reputations in their respective fields.

Sheldon Halpern arrived first in the fall of 2005. The Hon. Harold R. Tyler Jr. Chair in Law & Technology graduated first in his class from Cornell Law School, served as general counsel for Viacom International, and most recently as the C. William A. O'Neill Professor of Law and Judicial Administration at The Ohio State University. Last semester, he was a visiting fellow at the European University Institute (EUI) in Florence,



Prof. Sheldon Halpern

The Financial Cost of an Endowed Chair

Endowed chairs are powerful tools to attract top faculty.

- An endowment of \$5 million, at a conservative 5% interest rate, generates approximately \$250,000 annually. This covers the salary and benefits for a nationally renowned law professor, funding for a summer researcher (a student), travel and research support.
- A \$3 million endowment would earn \$150,000 a year. When a senior faculty member retires, that salary can cover any shortfall each year with the endowed professorship.
- A \$2 million endowment would not generate enough income to pay for a faculty member of a national stature, but it can be used to reward and retain an existing faculty member.

QUALITY SCHOOL.

By David Singer

Tenured Veteran Explains His Persistent Drive for Scholarship

“When you write an article, it’s a form of teaching,” said Stephen E. Gottlieb, the newly named Jay and Ruth Caplan Distinguished Professor. “It expands your audience.”

Gottlieb, who earned tenure nearly three decades ago for his writings, can’t help himself. “My wife has told me more than once that when I retire, I probably will live the same way I do now.”

The same includes a steady stream of law review articles punctuated by an occasional hefty book tackling a specific angle on constitutional law or the Supreme Court. Amid all this Gottlieb has written a body of work at the consumer level for the oped pages, public radio and other general media outlets.

“A lot of the writing I do is for my class,” Gottlieb said. “I remember teaching civil procedure years ago, a new area of teaching for me at the time. I was trying to teach jurisdiction but I felt there was an incoherence in the doctrine. What am I going to tell students?”

Rather than teach around these legal knots, Gottlieb selects a few to untangle through scholarship. While his early work was concerned with election law, his attention shifted to the Supreme Court some 20 years ago.

“People need to know about Constitutional law, and what the Supreme Court is doing. It’s important. We write because we want to get across what we think people should understand. That’s not much different than teaching.”

School Support

“Years ago there was conflict between support for teaching and scholarship. Now it’s become clear that they go hand in hand. The Dean has communicated a strong and consistent message that faculty scholarship matters—and he’s doing a lot to support it,” said Gottlieb.

“Receiving an endowed position feels very good; the three new endowed chairs show that Dean Guernsey is serious about rewarding scholarship activity,” said Gottlieb.

Gottlieb also mentioned the three new annual faculty awards—for scholarship, teaching and service—one which Gottlieb received two years ago, demonstrated Guernsey’s commitment to supporting faculty.

“It’s always good to get a pat on the back, particularly from colleagues, who warmly congratulated me,” Gottlieb said. “It’s important to tell each other that we value each other’s work.”

In the meantime, Gottlieb is hard at work on an article on the “Roberts Court,” and six years deep into a book which he’s tentatively calling “The Fragility of Democracy.”

Despite the uncertainty of writing before seeking a publisher, Gottlieb remains undaunted. “All these years on a book is a risk,” he acknowledged. “But it needs to be written.” —DS



From left, Professors Gottlieb, Lytton and Salkin, talking with a student,

Italy, where, while carrying his Albany Law course load, he delivered lectures to the legal community in Europe and Israel on fair use, trademarks and other IP related issues.

Shortly following Halpern came Paul Finkelman, President William McKinley Distinguished Professor of Law and Public Policy and Senior Fellow, Government Law Center. Finkelman is a prolific writer who’s frequently invited to speak; this semester he delivered an endowed lecture at Harvard University on the African slave trade, among more than a dozen other speeches. As one of the most cited legal historians in the nation (with 600 citations), Professor Finkelman appears in top media outlets weekly to remark on subjects like civil rights, steroid use in baseball, and constitutional law.

Cited by the U.S. Supreme Court and numerous lower courts, he was the chief expert witness in the Alabama Ten

commandments monument case and, as one of the top sports law experts, was a chief expert witness in the lawsuit over the ownership of Barry Bonds’ 73rd home run ball.

The most recent high-profile faculty addition is Anthony Farley, the James Campbell Matthews Distinguished Professor of Jurisprudence. Farley, a member of the Boston College Law School faculty for 16 years, where an excellence in teaching award bears his name, specializes in constitutional law, criminal procedure and legal theory. He was the 11th holder of the Haywood Burns Chair in Civil Rights at CUNY School of Law.

Elevating Current Faculty

Supporting current faculty—whether it’s to help the younger, promising faculty or to reward accomplished, veteran professors—needs to be part of any law school plan. While recruiting is half the battle, the other half is often retaining your most



earned their recent distinctions through consistent, influential scholarship.

Prof. Anthony Paul Farley

productive—subsequently your most visible—faculty. Recently, the Law School elevated three high-achieving professors to fill new endowed chairs.

Stephen E. Gottlieb, the Ruth and Jay Caplan Distinguished Professor of Law, has been with the school since 1979 and continues to successfully publish scholarly works, at average of one a year, plus books.

Timothy D. Lytton, the Albert and Angela Farone Distinguished Professor of Law, joined the faculty in 2000 as a promising star scholar and has exceeded most expectations. A Yale Law School graduate, Lytton published this year a Harvard University Press book called *Holding Bishops Accountable: How Lawsuits Helped the Catholic Church Confront Clergy Sexual Abuse* (see page 32). He was the editor of the 2005 University of Michigan Press book *Suing the Gun Industry: A Battle at the Crossroads for Gun Control and Mass Torts*.

Patricia E. Salkin, Associate Dean and Director of the Government Law Center, has been named the Raymond and Ella Smith Distinguished Professor of Law. Salkin is a nationally recognized expert on land use law and zoning, writes a popular blog called Law of the Land, and has recent publications that include *New York Zoning Law & Practice*, *Land Use in a Nutshell*, and *Trends in Land Use Law from A to Z: Adult Uses to Zoning*. She presents frequently at statewide and national land use programs.

The Power of an Endowed Chair

The competition for top faculty has never been more intense. Recruiting and retaining them remains the largest trick for any law school at every level.

“We’ve achieved many of our goals with the school,” said Guernsey. “Now it’s time to raise the profile of our faculty.” He believes three exceptional scholars

School Recruits Farley for New Endowed Chair

Anthony Paul Farley, a specialist in constitutional law, criminal procedure and legal theory, has been named the James Campbell Matthews Distinguished Professor of Jurisprudence. Farley was a visiting professor of law at the law school last year. Previously, he was an associate professor of law at Boston College Law School, where he was a faculty member for 16 years.

The Boston College Black Law Students Association honored him as the first recipient of The Anthony Paul Farley Excellence in Teaching Award, an annual teaching award bearing his name.

Farley’s work in legal theory and constitutional law has appeared in chapter form in *After the Storm: Black Intellectuals Explore the Meaning of Hurricane Katrina*, *Cultural Analysis*, *Cultural Studies & the Law*, *Crossroads*, *Directions & a New Critical Race Theory*, *Black Men on Race, Gender & Sexuality*, and *Urgent Times: Policing and Rights in Inner-City Communities*. His work has also appeared in numerous academic journals, including the *Yale Journal of Law and Humanities*, the *NYU Review of Law and Social Change*, the *Cardozo Law Review*, *Law and Literature*, and the *Michigan Journal of Race & Law*.

Farley received a B.A. from the University of Virginia and a J.D. from Harvard Law School.

The James Campbell Matthews Distinguished Professor of Jurisprudence is named after the school’s first African-American alumnus, who was also the first black judge in New York State. Matthews attended Albany Academy, then clerked in a local attorney’s office, entered the law school in 1868 and graduated two years later. Along with being the first black law school graduate in New York, Matthews sued the Albany schools successfully, forcing the city to desegregate its public schools.



As one of the most cited legal historians in the nation (with 600 citations), Professor Finkelman appears in top media outlets weekly to remark on subjects like civil rights, steroid use in baseball, and constitutional law.

added to the current faculty would substantially raise the school's reputation to the next level, where, he said, it should rightfully be today.

"We are so close to wearing the 'great' moniker," Guernsey once told a group of alumni in Hartford. "We need to finish what we have started."

To recruit star-quality faculty from other schools requires the offer of an endowed professorship, the strongest recruitment tool a school can use. To do this means additional funding.

"The beauty of an endowment allows a school to recruit new faculty, or reward and retain existing faculty, without increasing tuition, while increasing the size of our faculty," describes Guernsey.

"It took several years to reach this point," Guernsey says. "Now we're poised to make a leap, and the only way to do that is by raising the money to endow chairs, and then recruit the best faculty we can. We owe it to the students, we owe it to the alumni."

Faculty Scholarship and Law School Rankings

Students applying to law schools typically go right to the *U.S. News and World Report* rankings as their first source. The magazine's law school ranking system has stayed fairly consistent, the reputation of faculty counting more than any other element in a law school.

A full 40% of the rank is based on a survey of every school's dean and three faculty members. Last year 74% of those people at the 184 accredited law schools voted. The survey is also sent to a random group of lawyers and judges. Last year 29% of that group responded.

Other criteria considered include: selectivity (average LSAT scores and undergrad GPA of entering students and proportion of applicants accepted), which is 25% of the score; placement success (employment rates after graduation and the bar passage rate) for 20% of the rank; and faculty resources (average expenditure per student for instruction, library and services, as well as student-faculty ratio) for 15%.

A few other ranking systems exist, though they do not attract the same attention as *U.S. News*:

- **Brian Leiter's Law School Rankings:** Lieter ranks schools exclusively on the quality of faculty. Categories include: Most Cited Law Professors by Specialty, 2000–2007; Top 35 Law Faculties Based on Scholarly Impact; Scholarly Reputation; Faculty Quality in Specialty Areas. Lieter is an endowed professor at the University of Texas School of Law.
- **The Princeton Review:** This publication surveys law students while at law school. "None of these lists purports to rank the schools in terms of overall quality; but by using the lists...you will be able to identify the attributes of a law school that are important to you," states the Web site.
- **The Deadwood Report:** The latest to join the law school ranking game is led by a George Mason University Law School professor who plans to measure faculty members only, based on their scholarship achievements, course load, and public service.

So while it can be argued that prospective law students might not care about faculty publishing and other measurements of scholarship, the student does care about the school's national rank. In the end, a school's reputation relies on its faculty scholarship.



Prof. Gathii teaching last semester.

Prof. Gathii Writes His Weekly Column and Book from the Heart of Kenya's Conflict

unfortunate if displacement camps become a breeding ground for these young and largely idle people for another round of chaos.”

While these topics appear to stray from the core of his scholarship, they actually align well. His book, for example, is about war, commerce and international law. Gathii will tell you that inter-tribal unrest and even first world feuds all play crucial roles in any economic thinking. “One of the leading barriers of regionalism in Africa is conflict,” he states as an example.

With an LL.B. from University of Nairobi and an LL.M. and S.J.D. from Harvard Law School—he was editor of the *Harvard Human Rights Journal* and special editor of the *Harvard International Law Journal*—Gathii's homes lies on the outskirts of Nairobi. And while these areas are generally safe and stable, even affluent families in five-bedroom home communities have fled for safety as the conflict deepened.

“On the surface we can continue to live our daily, routine lives,” said Gathii. “But we all know people and families who have been forced from their homes, their entire lives uprooted. The Kenyan economy—one of the most advanced on the content—remains at risk should this fighting continue.”

Gathii lives with his wife and two children. He has numerous

family members living in surrounding towns, including his parents and siblings, all of whom he says are doing fine at the moment.

While his columns strive to provoke, Gathii generally succeeds without showing his own hand, with column headlines like: “Use unrest to diagnose what ails Kenya,” “Should failing companies be rescued?” and “Demerits of the EU trade agreements.”

When the topic involves the first world marginalizing the third world, Gathii gets a little more pointed: “Developing countries are afraid of ‘rigged commerce’ not ‘free trade,’” and another article maintains that free global trade has historically been rigged in favor of industrial products and against agriculture, leaving poorer countries unable to compete with European and U.S. agriculture.

In early February, Gathii called for the two men vying for the presidency and Parliament to “make bold concessions... split the five-year term and save the country.”

Anything short of this, says Gathii, “leaves the future of Kenya in grave doubt.” —DS

“But we all know people and families who have been forced from their homes, their entire lives uprooted. The Kenyan economy—one of the most advanced on the content—remains at risk should this fighting continue.”

When Professor James Thou Gathii returned to his home country of Kenya at the start of this school year to work on his book for the Oxford University Press, he could not have anticipated the internal ethnic violence that would tear through his country sparked by a troubled presidential election.

While his writing focuses on commercial issues in the third world, specifically the African continent, his weekly column in Africa's largest business publication, *Business Daily Africa*, has shifted from topics on economic partnership agreements and rescuing failing companies to mediation strategies for reclaiming democracy and a call for leadership to address the thousands of displaced families with children.

“There are thousands of children and young people who are yet to report to school and there is no hope for them in sight unless there is an agreed solution on return,” writes Gathii, the Governor George E. Pataki Professor of International Commercial Law. “It will be

Holding Bishops Accountable: How Lawsuits Enhance Policymaking

By Professor Timothy D. Lytton



My central thesis—that clergy sexual abuse litigation has enhanced policymaking—rests on three causal claims. First, I argue that litigation led the news media to report clergy sexual abuse and to frame it as an issue of institutional failure. Second, I suggest that litigation and the news media coverage it generated placed this issue on public and institutional agendas and put pressure on policymakers to address it. Third, I contend that litigation generated previously undisclosed information about clergy sexual abuse that informed policy responses to it. Thus, the “impact” of private lawsuits on policymaking consists of framing issues in terms of institutional responsibility, achieving agenda access, and generating new information.

I do not mean to suggest that litigation is always necessary to these aspects of policymaking or

recently, in the Enron scandal, policy responses to corporate misconduct were heavily influenced by criminal prosecutions. In each case, institutions other than the tort system framed issues in terms of institutional failure, placed them on institutional policy agendas, and uncovered new information.

In the case of the clergy sexual abuse scandal, however, it appears unlikely that either church or government officials would have implemented policy reforms in the absence of tort litigation. A steadfast desire among church officials to prevent public disclosure of the problem and to protect offenders from prosecution, combined with deference to the Church on the part of law enforcement and legislators, facilitated decades of child sexual abuse by priests. All this, as we have seen, began to change with the Gauthé litigation in 1984.

This is not to say that clergy sexual abuse litigation was by itself sufficient to bring about church and government policy responses. A number of factors contributed to the efficacy of litigation in framing issues, achieving agenda access, and generating information.

First, popular culture in the mid-1980s was highly receptive to the litigation’s story about child sexual abuse, clerical misconduct, and institutional responsibility. Public awareness of child sexual abuse was fueled throughout the 1970s and 1980s by child-welfare advocates

and feminist activists.

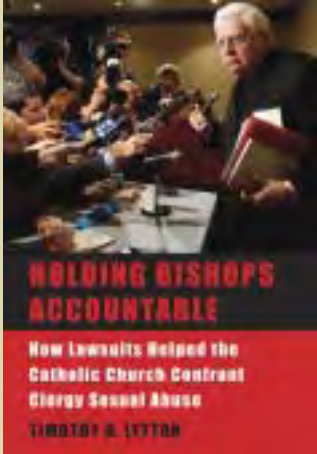
Concurrent with the Gauthé case, a series of high profile prosecutions for ritual child sexual abuse in daycare centers swept the nation from California to Florida to Massachusetts. The late 1980s saw a series of popular televangelists taken down by sexual and financial scandals. Government and corporate corruption have been recurring popular concerns throughout American history, and the post-Watergate 1980s were no exception. These cultural factors made the frame of institutional responsibility for clergy sexual abuse culturally resonant and, therefore, highly persuasive. Media coverage enhanced the frame’s persuasiveness by giving it prominence and repeating it frequently.

Second, activists pursued policy reforms outside the context of litigation. Advocacy organizations such as SNAP and Voice of the Faithful mobilized members to publicize and lobby for their reform agendas. Church insiders—some with close ties to the church hierarchy, such as former USCCB general counsel Mark Chopko, and others viewed as dissidents, such as canon lawyer Thomas Doyle—worked actively to develop detailed reforms and seek their adoption.

Third, church and government policymakers initially failed to address the problem proactively despite their knowledge of it. This institutional failure constituted the legal basis

In the case of the clergy sexual abuse scandal, it appears unlikely that either church or government officials would have implemented policy reforms in the absence of tort litigation.

that litigation always advances them. Under different conditions, other institutions perform these functions. In the Watergate scandal, for example, policymaking was shaped by a bold press, an aggressive special prosecutor, and an outraged Congress. More



Lytton's latest book published by Harvard University Press

for lawsuits against the Church and a political opportunity that allowed plaintiffs' lawyers to drive the policymaking process. To be sure, as the scandal progressed, church leaders did develop new policies, law enforcement officials became more aggressive, and legislatures passed reforms. But at the outset of the litigation in 1984, there was a policy vacuum waiting to be filled.

The causal relationships that I have asserted between litigation, on the one hand, and news coverage, policy agendas, and information, on the other hand, are not unidirectional. For example, there was feedback between litigation and news coverage. Litigation generated and shaped news coverage which in turn fueled more litigation by emboldening more victims to file lawsuits. News coverage also made plaintiffs' frames more culturally resonant among judges and potential jurors in subsequent cases. Moreover, news coverage of ritual child sexual abuse and corporate scandals prior to clergy sexual abuse litigation accounted for much of the persuasive power of the plaintiffs' frames in the first place. (Of course, the theme of corporate wrongdoing was itself culturally familiar, in part, due

to tort litigation dating back to the 1950s holding corporate entities liable for employee misconduct and product defects.)

Similarly, in terms of agenda setting, litigation helped to mobilize elites—victims, lawyers, and advocates—who, in turn, pursued further litigation as part of their strategy to achieve reform.

Finally, feedback effects also occurred with regard to information generation. Litigation uncovered new information through discovery and by encouraging church and government investigations that produced information subsequently used by plaintiffs in later lawsuits to support their claims.

By making causal claims, I do not mean to suggest a straightforward chain of causation between litigation and policy outcomes. Rather, we should view litigation as one causal factor—within a complex interplay of causal factors and feedback effects—that prompted and shaped policy responses to clergy sexual abuse.

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Publications

Professor Pam Armstrong edited *The Redbook: A Manual on Legal Style* by Bryan Garner (West Group, 2nd ed., 2006).

Professor Rose Mary Bailly's article, "Guardianship—Stopping Financial Exploitation in its Tracks," was published in *Capital Commons Quarterly* (December 2007). She also coauthored *Financial Exploitation of the Elderly* (Civic Research Institute, 2007) (coauthor E. Elizabeth Loewy, A.D.A.).

Professor Emeritus Robert Barker coauthored *Civil Litigation in New York* (LexisNexis 5th ed., 2007) (with Oscar G. Chase). The textbook is currently being used at 17 law schools including several outside of New York.

Professor Ira Bloom's 50 page article, "Powers of Appointment Under the Restatement (Third) of Property," was published by the *Ohio Northern Law Review* as part of its symposium issue on trusts and estates. His article, "Unifying the Rules for Wills and Revocable Trusts in the Federal Estate Tax Apportionment Arena: Suggestions for Reform," has been accepted for publication by the *Miami Law Review*. Professor Bloom's revised 160 page chapter on GST taxation was published in Klipstein and Bloom, *Drafting New York Wills*. He is also currently working on the preparation of the 4th edition

of *Drafting New York Wills* for publication in 2009. Prof. Bloom will be the lead author of the work, which will expand to three volumes.

Professor Melissa Breger coauthored a two-volume treatise entitled *New York Law of Domestic Violence* (Thomson-West, 2nd ed., 2007) (with Judge Lee Elkins and Jane Fosbinder). She also wrote "A Comparative State Analysis: Introducing the Construct of the Jury into Family Violence Proceedings," Chapter 37, pp. 306-312, in *Family Law: Balancing Interests and Pursuing Priorities* (Lynn D. Wardle & Camille S. Williams, eds.) (Wm. S. Hein & Co., 2007).

Professor Stephen Clark's editorial, "United ENDA's flawed reasoning: Activists, politicians overstate viability of inclusion and falsely defame incrementalism," was published in the *Washington Blade* on November 22. He also launched a Web site and blog about the interjurisdictional recognition of same-sex marriages, civil unions, and domestic partnerships—www.samesexconflicts.com.

Professor Beverly Cohen's article, "Disentangling EMTALA from Medical Malpractice: Revising EMTALA's Screening Standard to Differentiate Between Ordinary Negligence and Discriminatory Denials of Care," is being edited for publication in the *Tulane Law Review*.

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Professor Patrick Connors

authored two articles in his regular New York Practice column in the *New York Law Journal*: “Cases Appear to Depart from Court of Appeals’ ‘Andrea,’” September 17; and “The Desert Island Disciplinary Rule,” January 23. He also authored the lead article in the *New York Law Journal*’s special section “Court of Appeals: Year in Review,” which was published on September 10. He published several sections of McKinney’s Supplementary Practice Commentaries in: 1) CPLR Article 31, Disclosure, 2) The New York Lawyers’ Code of Professional Responsibility, and 3) the Surrogate’s Court Procedure Act.

Professor Paul Finkelman

published *Landmark Decisions of the United States Supreme Court*, 2nd ed. (Congressional Quarterly Press, 2008) (With Melvin I. Urofsky); and *Documents of American Constitutional and Legal History*, 3rd ed. (2 vols.) (Oxford University Press, 2008) (Co-edited with Melvin I. Urofsky). He edited *Congress and the Emergence of Sectionalism: From the Missouri Compromise to the Age of Jackson* (Perspective History of Congress) (Ohio University Press, 2008) (Co-edited with Donald R. Kennon). His article, “Foreign Law and American Constitutional Interpretation: A Long and Venerable Tradition,” was published in the *New York University Annual*

Survey of American Law (2007).

Prof. Finkelman also wrote the introduction to Franklyn Johnson’s book, *The Development of State Legislation Concerning the Free Negro* (The Lawbook Exchange, Ltd., 2007).

Professor James Thuo Gathii

is currently in Kenya working on a book to be published by the Oxford University Press, exploring international commercial law and its relationship to economic development in the Third World, specifically sub-Saharan Africa. During his time there, Professor Gathii wrote the following commentaries in *Business Daily Africa*: “How Kenya can deal with displacements,” January 30; “The forgotten lesson of the Akiwumi Report,” January 23; “Use unrest to diagnose what ails Kenya,” January 16; “A 3-point mediation plan to help Kibaki and Raila reclaim our democracy,” January 4; “Should failing companies be rescued?,” January 3; “Demerits of the EU trade agreements,” December 19; “Red herrings hang over sovereign bond,” December 12; “Competition analysis crucial in mergers,” December 3; and “Developing countries are afraid of ‘rigged commerce’ not ‘free trade,’” November 16. These articles are available at www.albanylaw.edu.

Professor Stephen Gottlieb’s

article, “What Federalism & Why? Science Versus Doctrine,” was published in *Pepperdine Law Review* (2007).

Professor Sheldon Halpern

wrote the 2007/2008 cumulative supplement to his casebook, *Copyright Law: Protection of Original Expression* (Carolina Academic Press, 2002).

Professor Lenese C. Herbert

published the casebook entitled *Constitutional Criminal Procedure* (with A. Taslitz and M. Paris; 3rd ed. Foundation Press, 2007). Her article, “Othello Error: Facial Profiling, Privacy, and the Suppression of Dissent,” was published in the *Ohio State Journal of Criminal Law* (Symposium Edition: Racial Blindsight and Criminal Justice, 2007). In February, she was a guest on “Equal Time,” a news/talk show on WLUR-FM, a Washington and Lee University student-operated radio station. She discussed her contribution to the forthcoming book *Race to Injustice: Lessons Learned from the Duke University Lacrosse Players’ Rape Case* (Michael L. Seigel, ed.), an interdisciplinary study of the 2006 rape allegations against Duke University lacrosse players.

Professor Mary Lynch

launched a blog entitled “Best Practices for Legal Education” at the American Association of Law Schools annual conference in January. You can view it at: <http://bestpracticeslegaled.albanylawblogs.org>.

Professor Alicia Ouellette’s

article, “Growth Attenuation, Parents’ Choices, and the Rights of Disabled Children,” will be published in *The Houston Journal of Health Law and Policy* (forthcoming 2008); “Moral Reasoning in Judicial Decisions on Same-Sex Marriage” will be published in *Philosophy and Sex* (4th ed., forthcoming 2008); and “Lawrence v. Texas” will be published in *Milestone Documents in American History* (Finkelman, et al., eds., forthcoming 2008). Her article, “Now and Always Our Chief: The Honorable Judith S. Kaye,” was published in the spring 2007 issue of the *Albany Law Review*.

Professor David Pratt published the following articles: “Guidance on Sections 403(b) and 409A” in the ABA Section of Taxation *News Quarterly*, vol. 27, no. 1, fall 2007; “Focus On... Investment Advice Under the Pension Protection Act of 2006” in the *Journal of Pension Benefits* (2007); “Focus On... Default Investments and Section 404(c)” in the *Journal of Pension Benefits* (2007); “Focus On... The Pension Protection Act and the PBGC” in the *Journal of Pension Benefits* (2007); “Focus On... Employee Benefit Reform Proposals” in the *Journal of Pension Benefits* (2007); “Health Care Reform: Can It Happen?,” 40 *John Marshall Law Review* (2007);

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“The Past, Present and Future of Retiree Health Benefits,” 3 *Suffolk University Journal of Health and Biomedical Law* 103 (2007); “The Minimum Distribution Rules” in the New York University Review of Employee Benefits and Executive Compensation (Matthew Bender, 2007); and “The New Medicare Part D Prescription Drug Benefit,” 17 *Albany Law Journal of Science & Technology* 337 (2007).

Associate Dean Patricia Salkin was selected by the American Planning Association as one of four leading land use law professors to draft a letter to the next president of the United States about establishing an appropriate sustainable development agenda. Her letter, titled, “The Legacy of the 44th President of the United States—2020 Vision,” appears in the January 2008 issue of *Planning and Environmental Law*. Dean Salkin also published the seventh edition of *Land Use and Community Development: Cases and Materials*, a casebook used by professors across the country. Her treatise, *New York Zoning Law & Practice*, was expanded from three to four volumes. Her article, “Community Benefit Agreements: Opportunities and Traps for Developers, Municipalities, and Community Organizations,” appeared as the lead commentary in the *Planning and Environmental Law* (November 2007).

Salkin’s article, “Blogging on Land Use Law: Another Legal Research Tool in the Internet” was published in the March 2008 issue of the *Zoning and Planning Law Report*.

Professor Laurie Shanks’ article, “Whose Story Is It, Anyway?—Guiding Students to Client-Centered Interviewing through Storytelling,” will be published in the spring 2008 issue of the *Clinical Law Review*.

Professor Evelyn Tenenbaum and Brian Reese ’09 coauthored the article “Memory-Altering Drugs: Shifting the Paradigm of Informed Consent,” which was published in the September issue of the *American Journal of Bioethics*.

Awards and Achievements

Professor Pam Armstrong was named an editor of *The Bencher*, a bi-monthly publication of the American Inns of Court.

Professor Ira Bloom attended the fall executive committee meetings of Trusts and Estates Law Section in his capacity as secretary of the section, which is NYSBA’s second largest section. In 2008, Prof. Bloom will be chair-elect and in 2009 chair of the section.

Professor Patrick Connors was appointed to the Office of Court Administration Advisory Committee on Civil Practice in January.

Professor Paul Finkelman was named the ninth most cited legal historian according to “Brian Leiter’s Law School Rankings.” The study, which measures the scholarly impact of faculty work, was based on citations from 2000-2007.

Professor Sheldon Halpern was appointed a visiting fellow at the European University Institute in Florence, Italy, where he gives seminars and talks for the legal community and for doctoral students in the University’s research program.

Professor Lenese C. Herbert completed a visiting professorship at Washington and Lee University School of Law (2007–2008).

Professor Michael Hutter was elected a member of the Fellows of the American Bar Foundation. The Fellows are an honorary organization of attorneys, judges, and law professors whose professional, public and private careers have demonstrated outstanding dedication to the welfare of their communities and to the highest principles of the legal profession.

Professor Mary Lynch was elected to be a member of the American Association of Law Schools Clinical Section Executive Committee at the organization’s annual conference in January.

Professor Alicia Ouellette was appointed professor of bioethics at the Mt. Sinai School of Medicine/Union Graduate College Program in Bioethics. She was also named a co-editor of *The Cambridge Dictionary of Bioethics*, a multi-year project to be published by the Cambridge University Press (with Laurence B. McCullough and Robert Baker).

Associate Dean Patricia Salkin was elected secretary of the State and Local Government Law Section of the American Association of Law Schools. She also received the Capital District Women’s Bar Association Distinguished Member Award in recognition of her significant service to the community. She was also acknowledged for her service as a mentor to young people and newly admitted attorneys; and her advocacy for the advancement of women in society and in the legal profession.

Presentations

Professor Ira Bloom discussed his revocable trust research at the American Association of Law Schools Section on Donative Transfers meeting in New York City. He was also invited to speak on revocable trusts at a UCLA symposium on trusts and estates law to commemorate the late Jess Dukeminier.

Professor Patrick Connors presented an update on developments in professional responsibility

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for the justices and law clerks of the Appellate Division, Third Department on September 28. He also moderated an ethics program for the New York State Bar Association's (NYSBA's) Public Utility Lawyers Program on October 26. He presented updates on New York practice and professional responsibility to the NYSBA Trial Lawyers Section at their annual summer meeting in July. On August 14 he conducted a telephone seminar on professional responsibility and legal malpractice for the NYSBA and he presented the annual program on ethics and legal malpractice at Albany Law School's CLE in Saratoga Springs on August 17.

Professor Paul Finkelman

was the keynote speaker at the "Evil, Law and the State: Issues in State Power and Violence" conference in Salzburg, Austria, in March. In February he was featured on the PBS television series, "African American Lives 2." On January 29 he delivered the Annual Richardson Lecture at Beloit College in Beloit, Wis. The topic was "The Closing of the African Slave Trade, 1808–2008." He spoke about affirmative action during Minister's Week 2008 at the Phillips Theological Seminary in Tulsa on January 22. In November he gave a CLE at the Indiana Supreme Court on the history of slavery and Indiana courts.

Professor Finkelman also presented the following: "Affirmative Action for the Master Class: Slavery and the Creation of the American Constitution" at the University of Toledo College of Law on January 10; "Congress and the Slave Trade: A Long and Winding Road" at Yale University on December 14; "Suppressing the African Slave Trade: The Limits of Legislation, 1794–1865" at Pennsylvania State University's Civil War Era Workshop on November 16; "Slavery, the Courts, and the Underground Railroad" at the Indiana State Library on November 15; "Was Dred Scott Correctly Decided?" at Seattle University School of Law on October 9 and at Arizona State University on October 25; and "Who Was Dred Scott and Why Do We Care? (And What Was He Doing at Fort Snelling?)" to Faegre & Benson's Diversity Committee at the law firm's offices in Denver and Minneapolis on September 5–6. Professor Finkelman also presented "Was Dred Scott Correctly Decided?" at William Mitchell College of Law on September 6 and also during Rhodes College's Constitution Day Celebration on September 27.

Professor Finkelman was a commentator at the American Society for Legal History's Annual Meeting in Tempe, Ariz. on October 27. He was a panelist at Brigham Young University's conference,

"Educational Choice: Emerging Legal and Policy Issues," on October 23. His paper will appear in a future issue of the *Brigham Young Law Review*. He also presented at the 92nd Association for the Study of African American Life and History's annual convention in Charlotte, N.C., on October 6. On October 2 he presented a paper on the closing of the African slave trade at Lewis and Clark University Law School in Portland, Ore.

Professor Peter Halewood

presented a paper, "Torture, Terror, and the Body in Law," at the annual joint meeting of the Law and Society Association and Research Committee on Sociology of Law at Humboldt University in Berlin, Germany, on July 25.

Professor Sheldon Halpern

presented a seminar on intellectual property issues for the Intellectual Property Institute and Queen Mary College in London on January 4. Halpern spoke at John Marshall Law School's conference entitled "Information Convergence: At the Boundaries of Access" on November 9. He was invited to speak on copyright matters at a seminar for Israeli judges to be held in Jerusalem in connection with Israel's new copyright statute. He was also invited to talk about trademark issues in Saloniki, Greece.

Professor Michael Hutter was invited to speak at the American Bar Association—Family Law Section Conference in Memphis in fall 2007. The conference addressed emerging issues in the admissibility and discovery of electronic evidence. He also spoke about the issues of admissibility regarding medical proof at a conference entitled "Medicine for Judges," sponsored by the New York Judicial Institute in White Plains, N.Y.

Professor Mary Lynch

presented "The Impact of Best Practices and Carnegie on Clinical Programs: Evaluating Ourselves Internally & Evaluating Our Place in Legal Education," with Quinnipiac Law School Professor Carrie Kaas at the Upstate New York Regional Clinical Conference held at Syracuse University on December 7.

Professor Timothy Lytton

presented a chapter from his upcoming book, *Holding Bishops Accountable: How Lawsuits Helped the Catholic Church Confront Clergy Sexual Abuse* (Harvard U. Press, 2008), at the University of Oregon School of Law on February 4. The chapter was entitled "Framing Clergy Sexual Abuse as a Problem of Institutional Failure." On February 2, he presented a paper, "Using Tort Litigation to Enhance Regulatory Policy-making: Lessons from Gun Industry and Clergy Sexual Abuse Lawsuits and their Implications

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for Climate Change Litigation,” at an environmental law symposium at the University of Texas Law School. Professor Lytton was also interviewed on Chicago Public Radio’s “City Show” about gun control legislation on September 20 and by the *Boston Globe* about his research on clergy sexual abuse on January 29.

Professor Alicia Ouellette presented “Restraining Parental Choice to Size and Shape Children” at The Hastings Center on December 10. In October, she presented “The Sale of Human Oocytes for Therapeutic Research” at the American Society of Bioethics and the Humanities Annual Conference in Washington, D.C. On September 28, she presented “Bioethics and Law, Hospital Ethics Committees Swap Shop” at the Mt. Sinai Medical College–Union Graduate College conference at Union College.

Professor David Pratt made the following presentations: “Retirement Plan Distributions” at the American Association of Law Schools Section on Employee Benefits in January; “Employee Benefits Update,” at Moore Stephens North America Annual Tax Conference, in Scottsdale, Ariz., in November; “Coordinating Retirement Plan Assets with the Estate” at the New York State Bar Association in Albany in December; “Employee Benefits Update” at the CP America International

Annual Tax Conference in Las Vegas in November; “403(b) Plan Regulations” at the American Society of Pension Professionals and Actuaries Annual Conference in Washington, D.C., in October; “Individual Retirement Accounts” at the NYU Annual Tax Institute in New York (October) and in San Francisco (November); “Employee Benefits Update” at the Albany Chapter of New York Employee Benefits Conference” in September; “Employee Benefits Update” at the Albany Chapter of International Society of Certified Employee Benefits Specialists in September; “Federal Health Legislation, International Foundation of Employee Benefit Plans” at the Healthcare Management Conference in Williamsburg, Va., sponsored by the International Foundation of Employee Benefit Plans; and “Pension Update” at the Adirondack Actuaries Club in June.

Associate Dean Patricia Salkin presented the paper “Municipal Regulation of Formula Retail: Creating and Protecting Communities” at the Case Western Reserve Law Review Symposium on January 25. On January 3, Dean Salkin presented the paper “The Genesis of RLUIPA and Federalism: Evaluating the Creation of a Federal Statutory Right and its Impact on Local Government” at the Annual Meeting of the American Association of Law

Schools. The paper was coauthored by Government Law Center Staff Attorney Amy Lavine ’07. On November 9, Dean Salkin presented the paper “The Kelo Effect in New York, New Jersey and Pennsylvania: Assessing the Impact of Kelo in the Tri-State Region” during the Land & Power: The Impact of Eminent Domain in Urban Communities Symposium. The event was sponsored by the Policy Research Institute for the Region of the Woodrow Wilson School of Public & International Affairs at Princeton University. She also presented a paper, “Land Use Law and Healthy Children: Opportunities for States to Assume a Leadership Role in Promoting and Incentivizing Local Options,” at the First Annual Conference on Law, Ethics & the Life Sciences at the Louis D. Brandeis School of Law of the University of Louisville on October 26. Also in October, Dean Salkin presented a course for Union College’s Adult Lifelong Learning Program on the Religious Land Use and Institutionalized Persons Act.

Associate Dean Patricia Salkin participated in March in a national audio and web-based CLE program for the International Municipal Lawyers Association (IMLA) on the Religious Land Use and Institutionalized Persons Act. She also presented a paper on ethics in land use at the Spring

2008 meeting of the American Bar Association’s State & Local Government Law Section in Charleston, S.C.

Professor David Siegel and **Professor Patrick Connors** presented “New York Practice Updates” at the annual Appellate Judges Seminar held on November 18 in Saratoga Springs and at the New York State Judicial Institute’s Conference held on November 27.

Albany Law School Reunion Weekend 2007

All alumni ending with class years of '2' and '7' celebrated their reunion from Albany Law during the weekend of October 12 and 13. The weekend began on Friday with the annual alumni golf tournament at Albany Country Club; the cold, rain and wind did not deter the avid golfers. The weather improved for Saturday's activities, which were held under bright sunny skies. The alumni ruggers were victorious in their match against the students and afterwards both teams celebrated under the picnic tent. Alumni had the chance to tour the law school, attend a CLE program and travel through the city of Albany on an amphibious tour that splashed into the Hudson River. The celebration culminated with dinner and dancing on Saturday night as alumni reconnected with classmates.



From left, Jessica Wilcox '97, Justin Miller '97, Carmen Vasquez '97 and Marie Roccapriore Shanahan '97 enjoy the dinner celebration in the Law School's East Foyer as they reminisce about their days at Albany Law.



Marie Roccapriore Shanahan '97 and Noelle Kinsch '96 reconnect during the alumni picnic under the tent prior to the annual alumni vs. student rugby game.



The Class of 1957 and their spouses and friends gathered for the 50th Reunion photo during Reunion Weekend activities.



The 2007 Alumni Awards and Trustees' Gold Medal award were presented during the Barrister Ball held at Albany Country Club on Friday, September 26. The recipients from left, include: Keiki M. Cabanos '97, Outstanding Young Alumni Award; Honorable Thomas J. Vilsack '75, Distinguished Alumni Award; Honorable Richard J. Bartlett, Trustees' Gold Medal Award; and Larry P. Schiffer '79, Donald D. DeAngelis Excellence in Alumni Service Award.



The Class of 2002 and guests celebrated their 5th Reunion on the Hudson River on the Captain JP Cruise line on October 20, 2007.

ALUMNI NEWS

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Bar Passers Celebrate

Eighty-six percent of Albany Law's '07 first-time test-takers passed the July 2007 New York bar examination. Eighty percent of all Albany Law bar exam takers passed the bar this year, exceeding the average rate for all of New York by more than 9 percent.

The Law School honored more than 200 bar passers with a reception held at the Empire State Plaza in January. Judge Anthony J. Carpinello '73, Appellate Division, who addressed the group, congratulated our alumni who were among the 750 lawyers admitted to the New York State Bar. That group is the largest number ever admitted to the bar during a single ceremony by the Appellate Division of the New York State Supreme Court, Third Department, based in Albany.

Appellate Division Presiding Justice Anthony Cardona '70, Appellate Division Chief Clerk Michael J. Novack '71, and Judge Carpinello '73 participated in the swearing-in ceremony. Federal Magistrate Judge Randolph Treece '76 delivered the keynote address. Appellate Division Associate Justice Edward Spain '66 administered the oath of office. The ceremony was extra special for Judge Spain, who swore in his daughter Sarah Spain '07.



From left, Carmen Warner '07 and Erin Neale '07.



From left, Glinnesa Gailliard '07 and Joanne Casey, Director, Career Center.



From left, Mary Lynch, Co-Director of the Albany Law Clinic & Justice Center, Michael O'Leary '07 and his mother, Joanne O'Leary.

Connect Online with Classmates

Stay connected to your classmates, friends and Albany Law School; register by visiting www.albanylaw.edu/alumni, and click on Online Alumni Community.

- Search for your friends, classmates and alumni who live in your area
- Update your contact information
- Submit class notes
- Register for Albany Law alumni events
- Make a gift to the Albany Law School Fund online
- And more

Want online help?

Contact Ariane Putnam, Alumni Affairs Associate at 518-445-3220 or aputn@albanylaw.edu



Save the Date! Reunion Weekend 2008, September 26-28

Planning is already under way for alumni who graduated in a year ending in '3' or '8'. Contact Christina Sebastian, Director of Alumni Affairs, cseba@albanylaw.edu, to get involved with your class activities.

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Albany Law School Alumni Events

Alumni continue to gather throughout the country to reconnect with their alma mater for a variety of reasons, including networking, socializing, business development or to meet Dean Guernsey, faculty or staff.

Contact Christina Sebastian, Director of Alumni Affairs (cseba@albanylaw.edu or 518-445-3361) to learn more, or visit www.albanylaw.edu/alumni for a calendar of events.

Washington, D.C., Area Alumni • October 25, 2007 Chef Geoff's Downtown, Washington, D.C.



From left, Jennifer Hughes '95, Jessica Giroux '04, Michael Donohue '05, Mark Szymanski and Prof. Deborah Mann.



From left, Prof. Christian Sundquist, Montgomery Sibley '81 and Joseph Koury '80.

Buffalo Area Alumni • November 11, 2007 Pearl Street Grill and Brewery, Buffalo, N.Y.



From left, Maureen Brady '84, John A. Michalek '76 and Catherine Carey '87.

New York City Area Alumni • January 31, 2008 The Waldorf-Astoria, New York, N.Y.



From left, Michele Baptiste '00, Joshua Vinciguerra '99, Mark Lemire '01 and Keiki Cabanos '97.

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White Plains Area Alumni • November 14, 2007
Vintage Bar & Restaurant, White Plains, N.Y.



From left, John Halloran '84, Gregory Getz '80, Evelyn Petrone '80, Martha Sokol McCarty '80 and David Gladstone '80.



From left, Dionne Cuevas-Abreu '98 and Carolyn Przybylo '05.



From left, Clorisa Cook '04, Addisa Richards '04, Joseph Nyland '05 and Nicholas Tuffarelli '05.



From left, Fei-Lu Qian '03, Heena Shaikh '04 and Nancy Kim '05.

Deborah Paris Shifts from Law to Art and Eventually Discovers the Connection



Paris' "Rick's Pool."

“Painting is about visual ideas. Once you have a visual idea, the challenge is to communicate it in an effective way. Essentially you’re solving a series of problems and you need to understand what’s working and what’s not working on a technical and emotional level....”

When Deborah Paris ’78 quit practicing law after 20 years to pursue her painting full time, it was the conclusion of a long, internal struggle.

“Even after I was back to painting for several years, I felt like I was two different people,” she said. “I couldn’t figure out how to connect the two worlds.”

Part epiphany, part gradual insight, soon enough Paris watched her two worlds collide. “Painting is about visual ideas,” Paris explained. “Once you have a visual idea, the challenge is to communicate it in an effective way. Essentially you’re solving a series of problems and you need to understand what’s working and what’s not working on a technical and emotional level.

“Once I realized how important my legal training was to my art, it set me apart from other artists,” she said, emphasizing the weight of this personal discovery. “Since that breakthrough a few

years ago, I know these are skills I can’t live without. That’s better than feeling like two different people.”

Why Law School?

“I’ve always thought of myself as an artist, probably since I was a child,” Paris said from her Texas home which she shares with her husband. “I didn’t consider any major in college except art.”

After earning her Bachelor of Fine Arts at the State University of New York at Albany, the Jacksonville, Fla., native made the unexpected decision to attend Albany Law School. “I was interested in representational art, a type of art that, at the time, earned no respect from the art world. I was disenchanted with the art world at the time.... I’ve come to appreciate my decision for law school and my training as a lawyer.”

After law school Paris joined a Tampa firm of 50 attorneys, where she was the first woman for several years. From there she joined another Tampa Bay firm as a real estate partner.

“Being the only woman presented an enormous learning curve for everyone,” she said. “But, like everything else, the important thing was that I worked hard and performed well.” She soon left to start a new company with one partner, which then dissolved into a private practice for Paris.

During her early years at the firm, Paris had no time for art. Just before she turned 40 she started painting again. “I began to see that I needed to change

the direction of my life.” She tentatively planned to wait a while, save some money and then take off as an artist. “I wish I could say I did that,” she said, chuckling. “But I didn’t. I just quit.” That was eight years ago.

Married now, she returned to the art world with enormous energy to produce. “I focus as much as I can on the painting, but it’s a business and there’s a lot involved.” This includes staying connected to numerous galleries, marketing, meeting show deadlines, maintaining a blog, and ordering supplies, to name a few things. Paris recently reduced a fairly hectic schedule teaching workshops around the country.

Southwest Art Magazine named her one of the “Artists to Watch, December 2004.” In 2006 her work was featured in two new books, *Landscapes of New Mexico* (Fresco Fine Art Publications) and *Plein Air New Mexico* (Jack Richeson Art Publications). She regularly exhibits in galleries, museum shows and other events nationwide, and she has received the Best and Brightest Award and the Pastel Society of America Award among many others. She has been featured in *American Artist*, *Southwest Art* and *The Pastel Journal*.

“When I was contemplating the move to art full time, people told me they couldn’t see me as anything but a lawyer,” Paris said, slightly laughing. “Art is what I’m most passionate about; it’s the thing in my life that keeps me fascinated.”

See her paintings at www.deborahparis.com. —DS

CLASSNOTES

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1946

Honorable **Carrol S. Walsh** has been named to the Johnstown High School Hall of Fame. He served as the Fulton County Court judge and surrogate until 1977 and as a Supreme Court justice in the Fourth Judicial District until his retirement in 1990.

1954

Peter Pryor and his wife, Barbara, were honored with the Dr. James M. Bell Humanitarian Award from Parsons Child and Family Center in Albany, N.Y. They were cited for more than 40 years "enhancing the quality of life for others."

1958

Lt. Col. William Holzapfel received the 2007 Distinguished Citizen Award by the Greater Elizabeth Chamber of Commerce in recognition of his diligent work as the city attorney of the city of Elizabeth, N.J.

1964

Thomas Dolin has become the New Scotland Town Supervisor. He served as Town Justice for 14 years, was the town attorney for Westerlo and worked for almost 40 years in private practice as a commercial lending lawyer.

1965

Judge **Walter Gage** retired from the Geneva, N.Y., city court bench on Dec. 31, 2007, after 16 years of public service. He will also be handing over most of his cases from his private practice to his law partner.

1966

Judge **Frederic Rodgers** began his sixth term as judge in Colorado's First Judicial District, in Golden, Colo.

Judge **Norman I. Siegel** has been named as a trustee to the St. Elizabeth Medical Center board, in Utica, N.Y.

1970

Supreme Court Justice **Frank B. Williams** won re-election in the (11 county) Fourth Judicial District in New York.

1972

Justice **Bernard J. Malone Jr.** has been appointed to the Appellate Division, Third Department by former Governor Eliot Spitzer. He had been appointed to the Manhattan-based First Department by Governor Pataki in 2005.

1973

The Honorable **David Demarest** of Canton was re-elected to serve the Fourth Judicial District for another term.

Helen Volk has authored and published revised editions of her three most popular books: *De-Clutter*, *De-Stress Your Life*, *The Organized Garage Sale and Filing, 101*. Her website is www.beyondclutter.com.

1974

Stewart P. Glenn established a new firm, Glenn & Breheny PLLC, in August 2006 in Newburgh, N.Y.

1975

Roger Cusick has joined the faculty of Union College in Schenectady, N.Y. He will be teaching political science.

Astrid C. Glynn has been named the first female N.Y. State Transportation Commissioner. She started her legal career as a maritime lawyer.



Johnna G. Torson has been named to the Board of Directors of The Westport

(Conn.) Country Playhouse.

1976



Bond, Schoeneck & King recently welcomed their new partner, **John R. Aldrich**,

to the firm's Albany office and Estate and Financial Planning Department.

Hon. W. Dennis Duggan was elected to his second three-year term on the Board of Trustees of the National Council of Juvenile and Family Court Judges.

1977

Sharon Landers is currently Assistant City Manager of the Orange County City of Irvine, Calif. Since June 2007 she has also been the CEO of the Orange County Great Park.

1978

Paul DerOhannesian II has published the 3rd Edition of *Sexual Assault Trials* (LexisNexis Publishing).

Andrew S. Fusco has been appointed City of Auburn corporate counsel and Cayuga County Bar Association president.

Nadine Pellegrini is working on her master's degree in animals and public policy. Upon completion, she will return to her job as an assistant U.S. attorney in Boston, Mass.

Donald A. Williams has retired as Ulster County's chief prosecutor, a position he has held since 1999.

1979

James N. Baldwin, Questar III BOCES district superintendent, was elected to a four year term on the Association of Educational Services Agencies Executive Council. This is a professional organization serving 553 education service agencies across the country.

Charles F. Crimi, Jr. has closed his private practice to become a judge for the Rochester, N.Y., City Court.

Margaret Mary Cangilos-Ruiz has been appointed Bankruptcy Judge for the U.S. Court of Appeals for the Second Circuit in Syracuse, N.Y. She was formerly head of the bankruptcy department at Whiteman Osterman & Hanna in Albany, N.Y.

In the Non-Profit Trenches, Quattrochi Fights for People with HIV/AIDS

When Gina Quattrochi left her associate director position at the New York State Nurses Association to head Bailey House, Inc., a non-profit providing housing-assistance and services for people with HIV/AIDS, Quattrochi jumped at the chance to use her legal skills for advocacy, particularly in an area she felt needed attention. At the time, she had already lost several of her friends to AIDS, including Scott Osadchey '78.

Quattrochi never imagined she'd be there today, 17 years later. Her reasons are simple: "The work is important. The battles change and the political climate changes. The epidemic still rages in many parts of the country, including New York, and all over the world."

Some 700 people with HIV/AIDS rely on her organization for housing and services. Serving four of the five boroughs, services range from permanent supportive housing to mental health and substance use services as well as a food pantry and special programs for formerly incarcerated men and women living with HIV/AIDS.

Hardly a shoestring operation with a \$10 million annual budget, Quattrochi raises the funds for Bailey House every year through grants and gifts. They also hold an auction annually, their flagship event for more than 1,000 people, which brings in almost 10% of the budget. Only-in-N.Y. auctioned items include: lunch with Anderson Cooper, a week at Val Kilmer's Santa Fe Ranch, a night on the town with "All

My Children" star Thorsten Kaye, as well as artwork by artists Robert Mapplethorpe, William Wegman and Herb Ritts.

Along with running operations and fundraising, Quattrochi spends considerable time advocating for state and federal policy. In 1993, she helped establish the National AIDS Housing Coalition and served as its President for three years. She has also served as Chairperson of the New York City AIDS Housing Network and served on federal and state advisory boards. Quattrochi has also been an adjunct professor at the New York University Wagner School for Public Service for 10 years.

Over the years Quattrochi has seen the epidemic change dramatically, and, subsequently, the funding for the virus. She explained, "In '86 people were dying rapidly. We didn't know how AIDS was transmitted. In the next phase, people with the virus lived for three or four years. Then 10 years. And now, treatment can sustain their lives. These medical breakthroughs required us to evolve our services as the nature of the epidemic, and public sentiment, changed."

A Winding Path

After Albany Law School, Quattrochi took an associate position at the firm Jackson, Lewis, Schnitzler & Krupman, performing labor law for employers. After four years, she left to become associate general counsel for the United Cerebral Palsy Association of New York State.

With three years at the

\$50 million association, she left for the New York State Nurses Association representing 30,000 registered nurses across the state in all aspects of collective bargaining. "This was a job well-suited for my politics and my personality."

While at the Association, she served on the board of directors of Bailey House, where she grew intimate with the organization. When the top job opened, she jumped. "I was well over my head quickly," Quattrochi said of her early days. "I thought I knew everything as a lawyer but running an organization that serves people with AIDS was a whole other undertaking. I learned to be humble."

The mission is daunting and a matter of life or death for thousands of families, creating the impetus for Quattrochi to stay at it for almost two decades now. Quattrochi has traveled in an expert team to teach and learn from peers in South Africa and Zambia, with another team, in Cuba, where she praised the Cuban system for providing comprehensive care.

"The issues remain numerous and complex," Quattrochi said. "How we teach HIV prevention in school must change. How we approach prevention, which is related to a lot of other issues, including domestic violence, homelessness, drug use and mental illness. And of course, funding is needed for this work."

She praised Bingham McCutchen for their pro bono legal help, as well as Richards O'Neill and Bingham Dana before them, for providing around

[A]uctioned items include: lunch with Anderson Cooper, a week at Val Kilmer's Santa Fe Ranch, a night on the town with "All My Children" star Thorsten Kaye, as well as artwork by artists Robert Mapplethorpe, William Wegman and Herb Ritts.

\$1 million in services since 1985.

Quattrochi has a son, age 13, and daughter, age 18, whom she raised with her former partner Dr. Priscilla Lenos. A dabbler in karate since her law school days, Quattrochi pursued it more intensely at age 45, earning a black belt three years later.

"My favorite thing is the full-contact fighting," she said. "You learn the most about yourself during these times." She called herself an "in-fighter," leaning on strength and power, instead of a point-fighter who relies more on agility and lightness. "I'm like that at advocacy work too, but I have learned that sometimes diplomacy works better."

It may be her full-contact approach that allowed her to bring the organization from a \$3 million to \$10 million operation. And it's her ability to identify and forge her own style that will likely lead her to bring Bailey House, Inc. to its next level.

Engineer-Lawyer Leaves Lab, Now Manages IP Law Group at IBM

During the early 70s, Marc D. Schechter '78 trained in quantum theory and relativity and spent time in a laboratory at Rensselaer Polytechnic Institute studying electromigration. In 1975 he earned his B.S. in physics and considered earning his PhD.

"I wanted to be a physicist or an electrical engineer but at that time post doctoral positions in physics were few and far between." Schechter swapped the lab for law—intellectual property law.

"I had a few friends who were working at the U.S. Patent and Trademark Office, and they encouraged me to get into the IP field," said Schechter. "I figured my physics and engineering background was a good fit for practicing patent law."

Schechter took his friends advice and enrolled into Albany Law studying intellectual property and tax law.

Intellectual property was not offered as a concentration at Albany Law School at the time, so Schechter created a self-study course with Professor Michael Hutter.

"Professor Hutter divided a casebook into 15 sections and we met once a week for 15 weeks going over cases cover-to-cover," explained Schechter. "It was an invaluable experience and one of my fondest Albany Law School memories having one-on-one teaching time with Professor Hutter."

After graduating from Albany Law School, Schechter worked as a patent attorney at the law firm of Heslin, Irwin & Neiman (now Heslin, Rothenberg, Farley



Marc D. Schechter '78

& Mesiti) in Albany, then left for the IP law department of Philips Electronics in Tarrytown.

During his time at Philips, Schechter spent his days preparing patent and trademark applications in areas such as optical fibers, silicon devices, dielectric and magnetic materials, and images sensors. At night, he spent his time in class earning his M.B.A. from Pace University.

In 1987, after eight years with Philips, Schechter took a position as senior attorney in IBM's T.J. Watson Research Center IP Law Department in Yorktown Heights. He worked on patent applications, patent clearances, and patent litigation in technical areas such as speech recognition, machine translation, data communication subsystems, liquid crystal displays, thin film transistors, image processing algorithms and cache memory architectures.

Schechter has now been with IBM for over 20 years, working his way up from research, to corporate headquarters, back to research, and then to micro-electronics, software group, information technology services

and business consulting services. Now, in his current position as senior group intellectual property law counsel for IBM Americas Sales & Distribution in Somers, N.Y., he oversees intellectual property law policies and organizations in the United States and Canada supporting Americas sales, marketing, technical solutions development, and distribution.

"Our team advises senior management and manages intellectual property law aspects of customer transactions, marketing strategy, acquisitions, divestitures, patent litigation, OEM agreements, clearance and infringement investigations for our division."

Schechter said he depends on a team of nine highly experienced in-house patent attorneys as well as a number of outside law firms to provide intellectual property support for IBM Americas Sales & Distribution. "Our organization is a part of IBM's worldwide IP Law Department that includes other business units such as Systems & Technology Group, Software Group, Global Services, and Research, and other IBM regions such as Europe and Asia."

"Because of our strong intellectual property law team, IBM obtained over 3,100 U.S. patents in 2007. That's more than any other company for the 15th year in a row."

Schechter lives with his wife, Anne, of 31-years in Thornwood, N.Y. He has three adult daughters. —NS

Fred Thiele has returned to his home town of Sag Harbor, N.Y., to serve the village as attorney.

1980



Janet Callahan was selected by the Association of Justices of the Supreme

Court of the State of New York to speak at their 2007 annual fall conference in Saratoga Springs, N.Y.

Mark Gorgos, managing partner of Coughlin & Gerhart in Binghamton, N.Y., has been appointed to the Government Law Center Advisory Board at Albany Law School. Gorgos concentrates on commercial law, municipal and education law, public sector labor law and creditor bankruptcy matters.

Honorable **Christopher G. Quinn** has joined the Board of Directors of New Island Hospital in Bethpage, N.Y. He is currently a supervising judge for the Nassau County District Court.

1981

James Caruso joined Bartle McGrane Duffy and Jones LLP in Troy, N.Y.

Judge **Peter G. Crummey** was re-elected to a third term as Colonie Town Justice, Colonie, N.Y.

Justice **Leslie E. Stein** has been appointed to the Appellate Division, Third Department by former Governor Eliot Spitzer.

Brothers to the Tee, the McGraths Make it Seem Easy

It would be hard to think James '86 and Michael McGrath '80 are anything but brothers, with their quick exchange of banter, their need to rib one another, and their knowledge of intimate facts about each other.

"I have an Albany Law table lamp and an Albany Law watch," said Michael at the start of a conversation in Putney, Twombly's New York office, where both brothers practice labor and employment law on behalf of management.

"You gave that same watch to Dad," countered the younger Jim, referring to their father James E. McGrath, Jr., a 1957 grad of Albany Law.

"You had Moriarty for Criminal," Jim reminded Michael, which prompted the older Michael to relate a story about Prof. Daniel Moriarty's last class of the year, which involved a sword and a riveting speech that drew a standing ovation.

Same law school. Same law firm. Same practice area. Same commute from Connecticut. "We used to commute together, we don't now," said Jim. "Sometimes we don't see each other for two weeks. My wife will ask me how Mike is, and she'll often know better than I do."

"When I started here, there was one partner who didn't distinguish us," said Jim, an oddity given their distinct physical differences. "He would tell Michael something about a case, and then assume I had the same information."

"I faced an arbitrator who didn't know there were two of



James (left) and Michael McGrath, at Putney, Twombly's New York office.

us," said Michael, continuing the point. "He just thought I'd changed a lot since the last time he saw me."

With six years between the two, the competition may not be so fierce, though Jim did poke fun of his older brother's new haircut after Michael declared, "I'm the smarter one."

Not Identical, but Similar, Paths

With their father a Mobil Oil executive, the family of eight children spent their school years in Albany, Kansas City, Framingham, Mass., and Stamford, Conn., where all eight graduated from high school and where the brothers now live with their own families.

They attended different undergraduate schools—Michael at Southern Connecticut State College and Jim at the University of Virginia. During their separate times at Albany Law School, the brothers each lived

with their grandfather in Albany. Both fondly recalled their dinners with their grandfather, particularly the "early-bird dinners at Ponderosa."

Michael married his wife during law school, while Jim married after school, spending his three law school years living with their grandfather.

After school, Michael applied to a number of firms and landed an associate spot at Putney Twombly. Jim took a summer associate position at Putney while in law school, then applied for a full-time position after school. While he had been assured a full-time position, he mistakenly received a formal rejection letter from the firm. While Jim told this story, he glanced at Michael as if to still blame him for receiving the mistaken rejection letter.

"I was an associate," Michael said, an executive committee member today. "I had nothing to do with any of it."

"We used to commute together, we don't now. Sometimes we don't see each other for two weeks. My wife will ask me how Mike is, and she'll often know better than I do."

Today the brothers represent similar clients around labor and employment issues, but do not share many clients. Collectively they range from large universities to health care institutions to automobile dealers.

They shared a slew of professors at Albany Law School, relating stories about several common professors, including Jack Welsh, David Siegel, Michael Hutter and Peter Preiser.

Jim said that one of the firm's partners had recently finished a case in which former Albany Law Dean Richard Bartlett also appeared. Jim remarked that Dean Bartlett always made a point of asking about the McGraths' father.

Their cousin, Sharon Rogler Tromp, graduated in 1994. Jim told Mike that they may soon have another cousin attending Albany Law School.

"I guess if you're a McGrath attending law school, you go to Albany Law." —DS

A Veteran Manhattan Prosecutor, Loewy Sees Parallels in Elder Abuse and Domestic Violence Crimes

After 23 years in the Manhattan District Attorney's Office, five of them running the Domestic Violence Unit and now head of the Elder Abuse Unit, Elizabeth Loewy '84 sees haunting parallels between the two cultures and their public perception.

"Like domestic violence about 15 years ago, there's a misconception out there that elder abuse is a family matter, and not a crime," Loewy explained. "In the heat of the moment, when they lose their composure, you hear the same kind of thinking" from defendants. Typically, younger exploiters explain that "they're entitled to an estate because they are the only living relatives or because they are in the will," said Loewy, and "when the elder lives longer than expected, bad things happen."

She's received calls from law enforcement professionals who ask, "Since the defendant is in the will and is getting it anyway, doesn't this preclude a theft charge?" Loewy's answer is consistently simple. "You don't get it early. And there is no exception in the larceny statute for family members or beneficiaries."

The parallels aren't coincidental, Loewy claimed. "The battering, the drug abuse—these problems don't go away as defendants age. And as baby boomers are moving into their elder years, we have older domestic violence victims, as well as older victims and defendants with addiction issues."

Twenty-three years in the famed D.A.'s office, Loewy has an



Elizabeth Loewy '84

endless collection of high profile crime stories. Now, her stories focus on victims 60 years-plus, centered on domestic violence or neglect, financial exploitation from family members or professionals, and evictions by drug dealers who have taken over a building inhabited by elderly. Her cases still attract top media attention, including an ongoing case involving the estate of Brooke Astor and her son accused of robbing the estate.

Ask Loewy a question and she can't help herself from answering briefly before firing back her own series of questions: What do you think? Where are you from? How did you get into this work? This is the inescapable habit of a prosecutor who still carries her own caseload by choice, as well as oversees dozens of assistant D.A.'s, in an Office that prosecutes over 500 elder abuse cases a year.

At no time in her early years did Loewy set out for this life. "I'm on the hiring board," she explained. "I meet a lot of candidates who have known from their early years that they wanted to

be a lawyer. I appreciate that but I wasn't one of them...."

Far from it. Loewy, after graduating University of Pennsylvania, left her Albany home—her father was a professor at Rensselaer Polytechnic Institute—for Manhattan theater, where two of her siblings have since made their careers. "While in New York, my outlook slowly changed.... I decided that by becoming a lawyer I might be able to help do something to change the world. I applied to some law schools and decided to go to Albany Law."

After her first year, she spent a summer at a law firm. "The lawyers were terrific and it was a great firm, but the work didn't come naturally for me." Her next summer was spent at the Manhattan D.A.'s office. "I was relieved and excited. I felt as though I had found a calling—up until that point, I wasn't sure what I was doing in law school."

In her second year she entered and won the Gabrielli Moot Court Competition, recalling her advisor Professor Mary Helen Moses and her partner John Hayes '84. "That was when I realized, 'I can do this.'"

Two decades of working with D.A. Robert M. Morgenthau, the daughter of a college professor who moved the family to three different cities before landing in Albany, Loewy has never stayed in any one place this long. "With this job, a new and interesting issue presents itself every day" she said. "Any time I've even thought about leaving, there has been a fascinating new

case or an opportunity to be in another Unit. Working for Mr. Morgenthau has been a tremendous honor in every sense—otherwise I wouldn't still be here."

Married with two children and living in Westchester, much of her days are spent on trial or preparing for grand jury. A good part of her job also requires community work. Again drawing the parallel to domestic violence, Loewy said that elderly abuse is widely underreported. "As head of the unit, it's important for me to be out in the community to raise awareness and generate referrals." —DS

"And as baby boomers are moving into their elder years, we have older domestic violence victims, as well as older victims and defendants with addiction issues."

She was an Albany City Court and acting Albany County Family Court judge before becoming an Albany County Supreme Court justice in 2002.

1982



Matthew D. Babcock, Chief Operating Officer, St. Elizabeth Medical

Center, recently became a Fellow of the American College of Healthcare Executives (ACHE), the nation's leading professional society for healthcare leaders.

Stephen T. Helmer was appointed managing partner at Mackenzie Hughes law firm in Syracuse, N.Y.

Richard A. Kaplan has been named one of the "Illinois Super Lawyers" for 2008 as conducted by *Law and Politics* magazine. He is an intellectual property attorney with Brinks Hofer Gilson & Lione in Chicago, Ill.

1983

Martin Finn has written chapters for the newly published "Mergers and Acquisitions Cases and Problems" with Prof. Wendy Davis and Amy L. Dickson '07.

Stephen Hicks has been appointed senior vice president and chief legal counsel at MTM Technologies, Inc. in Stamford, Conn.

Michael Norris has joined Sentry Group in Rochester, N.Y., as general counsel. He will be responsible for managing all legal affairs of the company.

Andrea M. Quercia is the vice president and general counsel at ITT Corporation in Rochester, N.Y.

1984



James Orband, a Binghamton attorney with Hinman, Howard & Kattell, LLP,

has been elected chair of the Business Law Section of the New York State Bar Association.

Elizabeth A. Roosa has joined the firm of Roosa & Roosa in Beacon, N.Y.

1985

Gloria Herron Arthur has joined the New York State Bar Association and will serve as the director of Pro Bono Affairs.

Andrew Pelletier is still practicing law but has just published his third children's book, "The Toy Farmer" with Dutton's Children's Books.

1986

Thomas Clements of Queensbury has been named president of the Warren County Bar Association for 2007–2008.

Denise M. Fitzpatrick has joined the law firm of Sholes & Miller. Her practice focuses on medical and legal malpractice,

insurance claims, personal injury, premises liability, contracts, real property issues and Article 78 proceedings.

1987

Gardiner "Tad" Barone has been made a partner in the Middletown, N.Y., law firm Blustein, Shapiro, Rich & Barone. His experience covers civil trial and appellate cases, land use, development and planning.

Jeffrey McMorris has been named as attorney of counsel at the Stancliff Law Firm P.C. in the firm's Glens Falls, N.Y., office.

1988

Andrea Cilli co-chaired the Capital Region and Central New York Bankruptcy Bar Associations 12th Annual Bankruptcy Conference in Cooperstown.

Jan R. McConaughy joined the Corporate, Business & Regulatory Legal Staff of Eastman Kodak Company as Chief Counsel, Consumer Digital Imaging Group and Vice President, Legal Department, effective Jan. 2, 2008.

Nicholas Mesiti and **David P. Miranda** were named "New York Super Lawyers" by *Law & Politics* and the publishers of *Hudson Valley* magazine. They are both with the firm of Heslin, Rothenberg, Farley & Mesiti, P.C., in Albany.

1991

Brian Ferguson was named in the 2008 edition of *The Best*

Lawyers in America for his accomplishments in the field of intellectual property law. He is a partner in the McDermott Will and Emery law firm in Washington, D.C.

Kevin M. Lang has joined the Albany office of the international law firm Greenberg Traurig LLP. He will be of counsel in the Energy and Natural Resources Group.

1992

Colleen Babb was appointed executive assistant district attorney in Brooklyn, N.Y. She is responsible for the School of Advocacy Bureau, which includes crimes in schools and juvenile crimes outside of school.

Matthew Blank and his wife, Cori, recently opened their new store, Mine! Mine! Mine!, in the village of Florida, N.Y.



James G. Cavoli has been named a partner in Milbank, Tweed, Hadley &

McCloy LLP's Litigation Group, in New York City. His practice encompasses a full range of complex litigation, including civil and criminal enforcement of the securities laws, and international commercial arbitration.

Laura Egner has won the Brigid Nolan Memorial Award for Pro Bono Service to Victims in Domestic Violence as presented by The Legal Project of the Capital District Women's Bar Association.

Seeing the Litigator as the Cowboy, Lucas Winds Up in Million Dollar Advocates Forum

By Paul Grondahl

Scott R. Lucas '85 won a \$12.5 million discrimination verdict nearly two years ago in federal District Court in Connecticut against General Electric Co., representing former GE employee Hemant K. Mody, a Ph.D. and chief engineer. The large legal victory reminded Lucas just how far he had come since entering Albany Law and deciding to pursue a legal career after earning a bachelor of science in management at Rensselaer Polytechnic Institute.

"I had Frank Anderson for Criminal Law and I'd heard he was a very tough grader. He gave me an 'F' on my very first quiz," Lucas recalled with a laugh. "In engineering school, there was always a right and wrong answer, but in the law there never is. Instead of analyzing the questions on that first quiz, I wrote short responses that I thought were the right answers. It was a real wakeup call."

Fortunately, Lucas recovered nicely after failing his first quiz in law school and he went on to become managing editor of the *Law Review*, an experience he credits with honing his legal analytical skills.

Lucas is a founding partner of Martin, Lucas & Chioffi, a Stamford, Conn., firm with 10 lawyers. He heads its litigation practice. He won a \$1.3 million jury verdict against Cendant Mobility Services Corp. in Connecticut State Supreme Court in 2003 on behalf of his client, a top producer in the



Scott Lucas '85

relocation industry who was demoted and terminated despite assurances by her supervisor after her husband, formerly a Cendant employee, went to work for a relocation competitor.

"It was a big case and a unique trial for Danbury, Conn., which doesn't have many million-dollar verdicts," said Lucas, whose seven-figure verdicts earned him membership in The Million Dollar Advocates Forum, a group of trial lawyers who have won verdicts, awards and settlements in excess of \$1 million. Lucas and his wife, Jane Cavalier, who has her own brand consulting company, have three children and live in Weston, Conn.

His 2006 victory against GE is currently on appeal after a judge reduced the verdict amount to \$8.3 million. Lucas successfully argued that Mody, of Indian descent, was unlawfully fired and otherwise retaliated against after he complained he and others of Asian descent were routinely passed for promotions

in favor of younger, white engineers. The alleged retaliation included a poor evaluation, increased scrutiny and criticism, and relegation to menial tasks on a project he invented. The case was of such note that it became the subject of a *Business Week* magazine cover story.

"Regardless of the money, I get a good feeling taking on these cases and protecting a person against a big company with its large resources and top attorneys," said Lucas, who has handled a lot of cases involving age and sex discrimination.

"These cases involve a tremendous amount of preparation, the files are large and you have behemoth summary judgment motions you have to defeat to get to trial."

As a lawyer in a small firm going up against a conglomerate with resources as deep as GE's, Lucas has to work doubly hard to level the legal playing field. "The corporate lawyers try to paper you to death," he said. The federal judges are often receptive to defense arguments, as employment cases have, in certain areas, overwhelmed their dockets. Trials in general are a disappearing event, Lucas noted: "We often hear about the disappearing jury trial these days as a result of mandatory mediation and the simple fact that 95 percent of cases usually settle before trial."

Lucas credits his career choice to an internship he landed while at Albany Law with Cummings

& Lockwood, then the largest law firm in Connecticut, where he rotated through all departments and decided litigation was the area in which he wanted to work.

"It seemed to me the litigators were the cowboys of the profession," he said, "and I thought that would be a great place to end up."

And so he has ended up as a litigator, where he's had a great deal of success, despite flunking his first law school quiz.

As a lawyer in a small firm going up against a conglomerate with resources as deep as GE's, Lucas has to work doubly hard to level the legal playing field.

Drawn to the FBI, Special Agent Medrano Chose Enforcement

By Paul Grondahl

The best days were when she helped quickly crack kidnapping cases and was able to see the kidnapped person returned to their family, unharmed.

When the FBI came to recruit students at Albany Law School, Vikki Motala Medrano '91 faced a major career decision. "I had spent a summer working in the D.A.'s office in Rochester and I liked it, but was intrigued by the idea of becoming a Special Agent, so I pursued an opening in the Bureau," she recalled.

Today, as a special agent with 16 years' experience, she is stationed in the Los Angeles office with a new position in the asset forfeiture section. "It really helps to have a legal background for this job," Medrano said. She teams with special agents with accounting backgrounds on bank fraud cases. Her job includes writing seizure warrants so that a judge will allow the government to seize cars, houses and other assets purchased through criminal enterprises.

"There's so much variety to this work," she said. "I was in the violent crimes unit for five years and worked on cases involving kidnapping, murder for hire and extortion. The hours were long and you got used to being called out to a crime scene in the middle of the night."

After completing her rigorous training at the FBI Academy in Quantico, Va., Medrano worked out of the Chicago office before transferring to L.A. because her husband, also an FBI special agent with an accounting background, was assigned there.

During her years investigating violent crimes in L.A., the best days were when she helped quickly crack kidnapping cases and was able to see the kidnapped



Vikki Motala Medrano '91

person returned to their family, unharmed. The worst days were those in which the criminals killed their victims, such as a ring of Russian mobsters who murdered repeatedly before law enforcement solved the case.

One of Medrano's more bizarre cases, at least for a lawyer, involved a plaintiff's attorney in a price-fixing case who began stalking the defendant's winning attorney and made threatening phone calls, sent harassing e-mails and showed up at the lawyer's office, threatening murder.

"This was after some school shootings and people became very concerned about the threats.... We arrested him within a week," she recalled. The attorney was convicted and went to prison.

Another interesting assignment for Medrano was with the public corruption squad. "Some of those cases are ongoing and will be coming to trial soon," she said.

"You learn a lot about being a special agent on the job, because there's no right way to solve a case. Everyone develops a personal style and how they decide to

gather the evidence they need," Medrano said.

Medrano feels that being a lawyer helps her each day in her work as a special agent. "A perfect example is writing an affidavit for a search warrant to get into a house," she said. "I like to write and have the legal background, so I can write an affidavit quickly. But that's a very daunting task for somebody without legal training. I think being a lawyer helps me zero in on certain facets of a case, helps me avoid legal pitfalls and allows me to solve cases more quickly."

Medrano has never fired her gun in the line of duty, although she does keep current on training for firearms and defensive tactics. When she goes to a crime scene, she wears the FBI "raid jacket," like on TV.

"It's been an interesting and challenging job and I like what I do," she said, without voicing any regrets about choosing to go to work for the FBI instead of waiting for an offer from a D.A.'s office.

Karl E. Manne has been appointed as the Town of Herkimer town justice. He maintains a general practice, which includes presentation of clients in civil and criminal litigation, business and corporate matters, bankruptcies and real estate closings.

Johnnette Traill has been awarded the Thomas E. Dewey Medal for Queens County as the best prosecutor of the year by the New York City Bar.

1993

Timothy M. Fitzgerald was featured in the *Rochester Business Journal* as the leader of the commercial real estate practice group at Harris Beach PLLC.

Christopher C. Gerard joined Anderson Kill & Olick, P.C. in New York, N.Y., as a shareholder in the Trusts and Estates practice.

Cheryl Hogan has received the Stanley A. Rosen Memorial Award for Pro Bono Service to Victims of Domestic Violence as presented by The Legal Project of the Capital District Women's Bar Association.

Christopher Potash, a partner at Harter Secrest & Emery LLP, has been recognized as a leader in the "Forty Under 40" program in the *Rochester (N.Y.) Business Journal*.

1994

Kimberly Y. Jones has been elected to the Boston Bar Association's Council. She is Counsel at Foley Hoag LLP and focuses her practice on representation of corporate clients and employers in labor and employment law and litigation.

Christine Sabino Kiesel was selected as the Accent on Excellence winner for 2006. She is the Statewide Child Welfare Court Improvement Project manager, based in Utica, N.Y.

David Luci has been appointed general counsel and vice president, corporate development for MacroChem. He will also be corporate secretary with responsibilities encompassing all the company's legal matters.

Kristen Martin has been appointed an officer of the Utica National Insurance Group, as assistant vice president, and named compliance officer.

1995

Mark Grosky is owner and principal of Grosky Law Firm in Clifton Park, N.Y. he specializes in trusts and estates and elder law.

Megyn Kelly is co-anchor of Fox News Channel's "America's Newsroom."

Michelle Fasciana Rider has been named partner in the firm Rider, Weiner & Frankel, PC in New Windsor, N.Y. Also a certified public accountant, she has been associated with the firm for more than three years.

Ann Sharpe has taken a position with Cioffi, Slezak & Wildgrube, PC in Niskayuna, N.Y.

1996



John M. Bagyi, a partner in Bond, Schoeneck & King, PLLC was listed in

The Best Lawyers in America 2008. This is the second consecutive year Bagyi has been listed in the Management Labor and Employment Law Category, and he remains the youngest lawyer in New York State to receive this honor.

Gregory D. Byrne was named partner with Pricewaterhouse-Coopers. He lives in New York, N.Y., with his wife Lauren Taylor Byrne '98.

Jennifer J. Corcoran has joined the Balzar & Leary Firm in Albany, N.Y.

Peter A. Lauricella has been elevated to partner at the firm of Wilson, Elser, Moskowitz, Edelman & Dicker LLP, in Albany, N.Y.

Thomas Lavery has been promoted to senior associate at Pattison Sampson Ginsberg & Griffin PC. His practice areas include contracts, commercial and civil litigation, and administrative law.



Kenneth D. Suzan has been elected to partnership at Hodgson Russ LLP.

He is a member of the firm's Intellectual Property & Technology Law, International/Cross-Border, and E-Commerce Practice Groups.

John Um has joined the law firm of Loeb & Loeb LLP in N.Y. He will practice in all aspects of advertising and marketing law with a particular emphasis in on-line media.

Molly Wilkinson has been named chief of staff of the U.S. Small Business Administration. She will lead the agency's efforts to improve procurement opportunities for small business.

1997

Christine H. Guido has joined the law firm of Rusk, Wadlin, Heppner and Martuscello in Kingston, N.Y., as a senior associate.



Justin S. Miller has been elected a member of the law firm of Harris Beach and

practices in their Rochester, N.Y., office. He is part of the Public Finance & Economic Development Practice Group, the Energy Industry Team, and Municipalities and Quasi-Governmental Agencies Team.

Herman Finds and Grows Freshfields' N.Y. Corporate Practice

When Sports Direct International, the United Kingdom's largest sporting goods chain, moved in to acquire the iconic U.S. boxing company Everlast for \$30 per share at the beginning of last summer, they didn't expect two counter-bids from the original buyout group, the investment firm Hiday, first at \$30.55 then for \$31.25.

"We thought the deal was complete when we signed and topped Hiday's original bid of \$26.50 per share, but then got word via an SEC filing and then from Everlast's lawyers that Hiday had made a second, higher bid for the company," said Matt Herman '94, a corporate partner in Freshfields' New York office where he specializes in international mergers and acquisitions, private equity transactions and securities offerings.

"We quickly convened meetings and calls with both the client and then with Everlast, and raised our bid to \$33 per share—approximately

\$182 million—and amended the acquisition terms in a matter of hours," said Herman.

Then came a series of lawsuits, including one from Hiday contending that their original deal should have been honored, and class action lawsuits from shareholders claiming fiduciary duty breaches by Everlast—and aiding and abetting by Sports Direct.

"All this happened very fast, which required a lot of advance 'what if' planning," said Herman. "And with each move came the headlines, not just in the *Wall Street Journal* and *Barron's*, but also in local tabloids like the *N.Y. Post* (Everlast played well for N.Y. readers) and full-blown coverage in the London press, home of Sports Direct's profile."

By the end of last summer, Herman said, the transaction closed, and the remaining lawsuits were all finally settled. "While not close to the largest deal we've done, it brought together a lot of the key elements of our public M+A practice, and that is always a lot of fun."

Herman is no stranger to complex M+A deals like Everlast. In the last two years he advised Linde, the German gases company, in the sale of its U.S. healthcare business unit for \$670 million, K+S AG in the purchase of a Latin American salt producer for \$488 million, and has advised private equity firms ranging from Warburg Pincus to KKR on transactions in the U.S. and in Europe, including Permira's and KKR's 2.1 billion Euros leveraged

buyout of SBS Broadcasting. While the recent credit crunch has changed the mix of work, because the U.S. dollar has remained relatively weak, there is continued interest on the part of European corporations and global SWFs (sovereign wealth funds) in U.S. M+A generally, and Freshfields' global client base has Herman and his New York team busy. Herman currently has six significant deals for non-U.S. clients in various stages of their transactions.

From the Start

He started at Freshfields five years ago, when he launched the firm's New York corporate practice, which has grown to five partners and 25 associates today, handling multi-jurisdictional mergers and acquisitions, private equity transactions, joint ventures and securities offerings.

"I do about 25% domestic and 75% international, which is the right mix for me," said Herman; however, he admits the travel associated with international transactions (some 15 long-haul trips a year to Europe, the Middle East, Asia and Latin America) can get tiring at times. "People think that international business travel is all glamour, but it gets a bit depressing when the American Airlines desk in London starts to know you by name," said Herman. Some deals have required him to fly to Europe every week, from Wednesday to Friday, for up to eight weeks at a time. And 10 days in Dubai last December will take its toll, though it is



Matt Herman '94

countered by a sound footing at home with his family. He lives in Larchmont with his wife, an investment banker, and their 2- and 4-year-old children.

Herman started his career at a hedge fund in New York before going to law school. Once in school, he gravitated toward law centered around business transactions like mergers and acquisitions. After his second year he worked as a summer associate at Willkie Farr & Gallagher, where he was hired as a full-time associate after graduating, working in New York and then for two years in Willkie's London office. In '99 he moved to Brobeck, Phleger & Harrison in its N.Y. office, until the firm went under in '03 due to debt.

"Brobeck announced its dissolution on a Thursday and on Friday I was working at Freshfields," Herman said, the move forecasting the frenzied pace at Freshfields that was to come.

*"And with each move came the headlines, not just in the *Wall Street Journal* and *Barron's*, but also in local tabloids like the *N.Y. Post*."*

1998

Lauren Taylor Byrne was named managing director with Alvarez & Marsal in December 2007. She lives in New York, N.Y., with her husband, Gregory D. Byrne '96.

North Greenbush Town Justice **Andrew G. Ceresia** has been elected President of the Rensselaer County Bar Association. In addition to his Town judicial duties, he has also served as an Acting City Court Judge in Rensselaer, Hudson and Albany City Courts.



Melissa M. Zambri has been elected to the partnership at Hiscock & Barclay LLP

in Albany, N.Y.

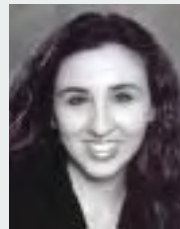
1999

Alice M. Breeding has accepted a position at the Piedmont Law Firm in Latham, N.Y.

Karen Folster Lesperance, a lawyer with the Poughkeepsie law firm McCabe & Mack, has been appointed to the board of The Alzheimer's Association's Hudson Valley, Rockland, Westchester chapter.

Jennifer Ploetz Williams has joined the law firm of Mackenzie Hughes LLP in Syracuse, N.Y.

2000



Stephanie DiLallo Bitter became a principal at the law firm of Bartlett,

Pontiff, Stewart & Rhodes, PC in Glens Falls, N.Y.

Shannon D. Frazier has accepted a position at O'Connor, O'Connor, Bresee & First PC in Albany, N.Y.

Catherine Hedgeman, of Generation Next, has been appointed by former First Lady Silda Wall Spitzer to the newly created Young Leaders Congress.



Paul A. Konstany has been promoted to membership in the firm Steptoe &

Johnson.

David Levy has received the Kurt Clobridge Memorial Award for Pro Bono Service as presented by The Legal Project of the Capital District Women's Bar Association.

John R. Vero has joined Union College's Board of Trustees as the new president of the Alumni Council. He is also a member of Albany Law's National Alumni Association Board of Directors.

2001

Bethlehem Town Justice **Ryan Donovan** has joined the law firm of fellow Albany Law alumni Greg Harris '79 and Michael Conway '95. The new firm will be called Harris, Conway and Donovan, PLLC.



Maureen E. Maney has been made a partner in the law firm of Hancock & Estabrook,

LLP in Syracuse, N.Y.

2002

David C. Bruffett, Jr. has joined the Sugarman Law Firm, in Syracuse, N.Y., as an associate.

2003

Carin M. Cardinale has joined the firm of Towne, Bartkowski & DiFio Kean, PC in Albany, N.Y.

Peng Jiang is with Latham & Watkins' Hong Kong office. He and his wife, **Li Tang** '03, are expecting their first child in September.

Kiley D. Scott has been named partner at the firm of Tully Rinckey PLLC in Albany, N.Y.

Lovely Warren has been elected a City Councilwoman for the Northeast District of Rochester, N.Y.

Kara Wilson has been appointed assistant district attorney, Oneida County, N.Y.

2004

Crystal Doolity has joined the firm of Maynard, O'Connor, Smith & Catalinoto, LLP in Albany, N.Y.

Jonathan Schopf has joined the firm of Pattison Sampson Ginsberg & Griffin P.C. in Troy, N.Y., as an associate focusing on civil and criminal litigation and real estate law.

2005



Noelle M. Pecora has joined the Poughkeepsie law firm of McCabe & Mack as an

associate attorney in the firm's trusts and estate department.

Brian D. Pilatzke was named acting public defender in St. Lawrence County, N.Y.

Cheryl E. Sarjeant has joined Whiteman Osterman & Hanna LLP. She will work in the firm's commercial real estate group.

Gregory Teresi has been appointed to the position of corporate counsel for the city of Cohoes, N.Y.

Thais M. Triehy joined Hiscock & Barclay in Albany, N.Y., as an associate attorney.

2006

Maxine Barasch is president and founder of the Capital Alliance of Young Professionals, a networking vehicle for young professionals.

Michelle E. Broadbent has joined Kowalczyk, Tolles & Deery, LLP in Utica, N.Y., as an associate attorney.

Ryan T. Emery, a business and trust attorney at Mackenzie Hughes, was recently admitted to the Florida Bar Association.

Matthew G. Favro has joined the law firm of Gary L. Favro '76 in Plattsburgh, N.Y.

Julie M. Frances has joined the law office of David A. Harper, in Saratoga Springs, N.Y.

Victoria Hasseler Collins has been admitted as a new attorney to the New York State and Vermont bars. She is employed as an associate attorney with the law firm of Weber, Perra & Munzing in Brattleboro, Vt.

Andrew E. Schrafel graduated from Tsinghua University School of Law, in Beijing, with a Master of Laws degree in Chinese Law.

Jon Thayer has joined the law firm of Block, Colucci, Spellman & Peller LLP in Lake Placid, N.Y.

2007

Melissa Ashline-Heil has been named City Planner for the City of Cohoes, N.Y.



Jeffrey Barringer has joined the firm of McGlinchey Stafford, PLLC in

Albany, N.Y., as an associate in the business law section.

Alison Bates has a fellowship at the Empire Justice Center in Rochester, N.Y.

Jacqueline Mecchella

Bushwack has joined Rivkin Radler as a first year associate in the firm's Health Services Practice Group.

Marisa Ann Filupeit is employed as an attorney for the New York City Administration of Children's Services.

Ronney Lynne Rosenberg, the Director of Legal Compliance at the New York Mercantile Exchange, Inc. in New York, N.Y., was named Compliance Counsel.

1936

Thomas T. Heney died on Aug. 31, 2007, in Scarsdale, N.Y., from complications of Alzheimer's disease. During law school he worked as a report and radio commentator. He practiced law at Staley & Tobin in Albany and then at Blake, Voorhees & Stewart in New York, N.Y. He joined the National Sugar Refinery Company as General Counsel in 1944 and worked there until his retirement in 1971. He is survived by four sons, two daughters, six grandchildren and 10 great-grandchildren.

1937

John Joseph Biscone, of Ravena, N.Y., died Jan. 2, 2008, at his residence. He served in the U.S. Navy during World War II and was very active in local war veteran organizations. Mr. Biscone was assistant county attorney for Albany County for 32 years, town attorney for the town of Coeymans for over 30 years and village attorney for the village of Ravena for over 40 years. He also maintained a private law practice over the years. Mr. Biscone is born the first of 10 children. He is survived by four children, 14 grandchildren, 12 great-grandchildren, one brother and one sister. His wife passed away in 1991.

MARRIAGES AND BIRTHS

1991

Kathryn (Kate) Tabner announces the birth of her son Walker James Boardman on April 16, 2007. He is the grandson of John W. Tabner '51.

1992

Johnnette Traill '92 announces the birth of her first child Mikayla.

1996

Jason J. Legg announces the birth of Alyse Catherine, born on Dec. 3, 2007.

1998

Lisa M. Penpraze announces the birth of her son Bryce on Dec. 6, 2007.

1999

Nia Alexandra (vonHockman) Chase and Christopher R. Chase were married on Dec. 1, 2007.

2000

Karen E. (McGrory) Mease and Kevin L. Mease were married on Sept. 16, 2007, in Saratoga Springs, N.Y.

2002

Patrick K. Jordan and **Laura M. Jordan** '03 announce the birth of their son Finn Kelly born on Jan. 5, 2008.

2004

Eric R. Gee and **Amelia Catalina** were married on August 4, 2007, in Valatie, N.Y.

2007

Jacqueline Mecchella Bushwack married Michael Bushwack on Sept. 8, 2007 in Rockland County, N.Y.

Jayne L. (Majek) Torelli married Christopher J. Torelli on March 17, 2007.

IN MEMORIAM

{ SPRING 2008 }

1943

James H. Doran died on Oct. 28, 2007, at the V.A. Medical Center in Albany. He was a World War II U.S. Army veteran, serving in the European Theater. He was awarded the Purple Heart for wounds received during the battle of Anzio Beach. Mr. Doran practiced law in Albany for 40 years. He is survived by two sons, two daughters and 10 grandchildren.

1948

Eugenie Elswood Gillespie died at Mercy Medical Center on Jan. 25, 2008, from numerous medical problems. She graduated from Albany Girls School in 1936 and the University of Albany in 1942. Shortly after graduation, Eve, as she was known to her friends, volunteered for the SPARS (the U.S. Coast Guard Women's Reserves), spending World War II as an ensign at their facility in Manhattan Beach, N.Y. Eve married William Francis Gillespie on August 28, 1948, the same year that she earned her J.D. from Albany Law School. She had a lifelong commitment to volunteerism, beginning with the Coast Guard, the Association for the Help of Retarded Children, American Red Cross, Chapter Chairman of the Nassau County Branch and was a tireless member of the Board of the Center for Developmental Disabilities in Woodbury, N.Y., until her death. Eve was the mother of five children and a devoted grandmother of seven.

Kenneth P. Whiting Jr. died at Lourdes Hospital in Binghamton, N.Y., on Tuesday, Dec. 25, 2007. He served as an officer in the U.S. Navy on the U.S.S. Laws in the Pacific Theatre during World War II. After being honorably discharged from the service in 1946 he attended Albany Law School. Mr. Whiting practiced law in Binghamton for 18 years in the law firm of Travis & Whiting, until he became a Broome County Family Court Judge in 1965. He presided as a Judge for 20 years and thereafter continued his service in Family Court as a Judicial Hearing Officer. Judge Whiting is survived by his wife, Irene Whiting. They have four children and six grandchildren.

1950



Cranston H. Howe died at his home in Poultney, Vt., on Aug. 13, 2007, after a long battle with Alzheimer's Disease. Mr. Howe served in the U.S. Army during World War II. He was a member of the 104th Infantry Division in the European Theater. He received a Purple Heart for his wounds and a Bronze Star for bravery. Mr. Howe opened his law practice in Fair Haven, Vt., in January 1951. He practiced law until his retirement in 1998. He is survived by his wife, Mary Jane, two sons and two grandchildren.

1953



John Serbalik died Dec. 26, 2007, at St. Mary's Hospital in Troy, N.Y., after being stricken at home. He entered the U.S. Army Air Corps during World War II, and served with the 483rd Bombardment Group of the 15th Air Corps, serving in Italy as a bomb loader. After the war, Mr. Serbalik attended Siena College and Albany Law School. Mr. Serbalik led the Serbalik and Serbalik Law firm of Mechanicville for many years. Mr. Serbalik owned and operated many local businesses. Survivors include his wife of 61 years, Leona, six children, 27 grandchildren and 12 great grandchildren.

Clarence G. Simmons, Jr. of Brunswick Hills, N.Y., died Dec. 16, 2007, at St. Mary's Hospital, Troy, after a long illness. Mr. Simmons was admitted to the New York State Bar Association in 1953 and practiced law, originally with his father in the firm, Simmons and Simmons, in Troy, for over 50 years. He was active in local civic and professional organizations for over 60 years. Mr. Simmons is survived by his wife, Marilyn, two sons, several step-children, and six grandchildren.

1954

Robert L. Harder of Glenmont, N.Y., died Jun. 9, 2007, at St. Peter's Hospital. Mr. Harder practiced law in Albany for over 50 years. In 1999 he won a medical malpractice verdict of over \$2.5 million. During World War II he was a veteran of the U.S. Navy and served on the U.S.S. Woodward 340 in the Panama Theatre. He is survived by his brothers George W. Harder '54, John R. Harder '62, and Thomas E. Burke as well as eight children and 15 grandchildren.

1956



Eugene M. Karp died Jan. 30, 2008, at St. Peter's Hospital in Albany, N.Y. Mr. Karp was a member of the law firm of Kohn Bookstein & Karp from 1961-1998. He was senior counsel with the Albany law firm of Whiteman Osterman & Hanna, LLP. Between 1961 and 1975, he served as adjunct professor of tax law at Albany Law School and in 1976 was awarded the school's Alumni Gold Medal for Distinguished Service. He had lectured on tax and estate planning topics for the New York State Bar Association and the Practicing Law Institute and had spoken before many community organizations on legal issues affecting the aging.

Mr. Karp had been a leader in community organizations for many years, including active

participation in the United Jewish Federation of Northeastern New York, B'nai B'rith Gideon Lodge, the Albany Jewish Community Center, and Congregation Beth Emeth.

He is survived by his wife Bea, his son Robert, his daughter Sue Nohai, a long-time employee of the Albany Law Clinic & Justice Center, his brother and three grandchildren. He also leaves several nieces and nephews.

1958



Francis C. LaVigne died Aug. 24, 2007, at Massena Memorial Hospital. Mr.

LaVigne enlisted in the U.S. Air Force during the Korean War. He continued as an officer in the Air Force Reserve, retiring when he reached 60 years of age. Mr. LaVigne opened his own law practice in Massena, N.Y., in January 1960. He accepted Governor Cuomo's nomination as an administrative law judge for the state's Workers Compensation Board in 1991, retiring in 1998. He is survived by his wife, Dawn, nine children, five stepchildren, 34 grandchildren and five great grandchildren.

1971



William H. Geary, of Voorheesville, N.Y., died on Dec. 17, 2007, after a brief illness.

Mr. Geary worked for Lewis Equipment and Cromwell Business Forms prior to going to law school. While in law school, Mr. Geary sold real estate with Picotte Realty. He later was vice president and general manager of AYCO Corporation until 1974. At that time he founded, owned and operated Rescom Security Systems until 1995. Mr. Geary then owned and operated Checkwise Payroll, LLC. He is survived by his wife of 60 years, Dorothy, his three children, eight grandchildren and two great grandchildren.



Elliot J. Wachs died Aug. 26, 2007. He was a practicing attorney associated

with the law firm of Ackerman, Wachs and Finton in Albany. He was a member of the N.Y.S. Army Reserves, the Temple Israel in Albany, the Albany City Lodge #540 Knights of Pythias and the American and N.Y. State Bar Associations. He is survived by his wife and two sons.

1974

Thomas J. Neidl died on Dec. 23, 2007, at home surrounded by his family. Mr. Neidl began his career distinguishing himself as a specialist in narcotics prosecutions under Albany County District Attorney Sol Greenberg. He then moved on to be deputy chief of Criminal Prosecutions at the N.Y. State Attorney General's Office. After working as a private defense attorney, Mr. Neidl worked at the Albany County Public Defender's Office. Mr. Neidl is survived by his wife of 35 years, Linda. He is also survived by four children, two grand children, his mother and one brother.



Arthur N. Spellman died of cancer Aug. 20, 2007. He served in the Air Force

for nine years, reaching rank of captain. He was the base commander at the former Ketchum Corners Air Base in Stillwater. Mr. Spellman was named assistant public defender serving the Northern area of Saratoga County later becoming the attorney for the Ballston Spa School System. He retired in 2003 from Saratoga Springs Family Court. He is survived by his wife, Cecile, two sons, one daughter and two granddaughters.

2005



Dr. Christine A. Ingraham of Clifton Park, passed away on Tuesday,

Aug. 14, 2007. She was born in Richmond, Va., Aug. 7, 1952. She lived with her family in Hopewell, Va., but completed high school in Tehran, Iran, while her father was on a business assignment. Dr. Ingraham earned her B.S. degree from Mount Holyoke College in South Hadley, Mass., and then received her M.S. degree from Boston University. In 1986, she earned her Ph.D. in neurobiology from the University of North Carolina—Chapel Hill. She was an assistant professor at Albany Medical College from 1991 to 2001, when she left to pursue a career in law. Since 2005 she had practiced in the area of patent law. Dr. Ingraham is survived by her husband, Donald, son Ben and daughter Sarah, all of Clifton Park, N.Y., as well as her sister Kathleen Wagner of Lonetree, Colo., and numerous nieces and nephews.

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SAVE THESE DATES

June 3

Government Law Center
30th Anniversary Luncheon
The State Room, Albany, N.Y.

August 17

Day at the Races
Saratoga Race Course
Saratoga Springs, N.Y.

September 26–28

Reunion Weekend
Albany, N.Y.



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